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OCC INVESTIGATION

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OFFICE OF CITIZEN COMPLAINTS - USE *BLACK INK* ONLY!

(1) Day, Date & Time Complaint Received [ ][ ][ ][ ][ ][ ][ ][ ][ ][ ] 134-15
Wednesday, March 11, 2015

Complaint Against: Personnel [X] Policy [ ] Procedure [ ]

How Received: Person [X] Phone [ ] Letter [ ] SFPD [ ] Mail-In [ ]

Other [ ] : (specify)

(2) Primary Complainant: () Co-Complainant

[redacted]

Last Name First Name Middle Initial

HOME ADDRESS: [redacted]

Street Apartment

City State Zip [redacted]

WORK ADDRESS:

Street Apartment

City State Zip

(3) Personal Information

Age: [redacted]

Date of Birth: [redacted]

Sex: [redacted]

Ethnicity: [redacted]

(4) Telephone Numbers

Home: ([redacted]) [redacted]

Work: ([redacted]

(5) Location of Occurrence:
Street and sidewalk in front of 2857 Folsom Street SF. CA 94110

(6) Type of Place
public street

(7) District
D

(8) Day, Date, & Time of Occurrence:A.M./P.M. (Circle one) February ~~27~~ 26, 2015 9:46 p.m.

(9) Incident Report or Citation No. 150 [redacted] 178555

(10) SECONDARY COMPLAINANT? Yes[X] No[ ] Witnesses? Yes[ ] No[ ]
(If "Yes", attach separate sheet of paper.) Taped Interview? Yes[X] No[ ]
Criminal Case Pending in Relation to This Matter? Yes[ ] No[ ]

(11) Injuries Claimed? Yes[X] No[ ] Injuries Visible? Yes[X] No[ ]
Drug/Alcohol Related? Yes[ ] No[ ] Photos Taken? Yes[ ] No[ ] By: Photo Lab[ ] O.C.C.[ ]
Other:
Type of Injury: Death by gunshot wounds (see attached)
Medical Release Signed? Yes[ ] No[ ]

0134-15

(12) Activity	(13) Type	(14) DISP	(15) Uniform		(16) Rank	(17) Member's Name & Star Number	(18) Unit	(19) Svc	(20) Sex	(21) Eth
			Yes	No						
				X		Craig Tiffe.#1312			M	
				X		Eric Reboli #1651			M	

Attachment

11. Description of Injury

The San Francisco Police Department's failure to follow it's internal policies, known as SFPD Department General Orders, resulted in the shooting of Amilcar Perez-Lopez, causing his death and financial losses and emotional distress to his family. The two police officers who approached Amilcar Perez-Lopez failed to provide him with an interpreter even though he had limited English proficiency, violating the department's policy to provide free language assistance to LEP individuals. See San Francisco Police Department General order 5.20 - Language Access Services for Limited English Proficient (LEP) persons. Because of their failure to provide language access, Mr. Perez-Lopez was not able to understand their commands and thus, this violation of DGO 5.20 may have contributed to the shooting.

In addition to investigating the language access violation in this incident, the following issues should also be investigated: (1) whether the two officers who approached Amilcar Perez-Lopez clearly displayed their badges, (2) whether they clearly issued commands to Mr. Perez-Lopez and whether they used de-escalation tactics before shooting and killing Mr. Perez-Lopez; (3) whether their interactions with Mr. Perez Lopez were within the limitations imposed on plainclothes officers or were acts of misconduct; and (4) whether they had sufficient justification to use deadly force on Mr. Perez. As a result of these violations Amilcar Perez-Lopez lost his life and is no longer able to provide financial support to his family in Guatemala.

0134-15

We believe Mr. Perez-Lopez was not stealing a bicycle. But even if this allegation were true, stealing property is not a justification for a lethal use of force. We also believe the shooting and killing Amilcar Perez-Lopez by SFPD officers was not necessary to save anyone from serious injury or death, especially given that , according to eye witness reports, Mr. Perez-Lopez had dropped the knife prior to being shot and was some distance from the other individual involved in the incident.

We request that this complaint be investigated by the civil grand jury, as to why no indictments have been made, so that both sides of the story can be heard.

Complaint Form, Page2

Page 2
(22) NARRATIVE OF INCIDENT:

FROM THE SAN FRANCISCO CHRONICLE March 6, 2015 http://www.sfgate.com/crime/article/S-F-police-officers-identified-in-fatal-Mission-6120283.php

0134-15

San Francisco Police officials released the names Friday evening of two officers who shot and killed a man in the city's Mission District last week.

Officers Craig Tiffe and Eric Reboli were working as plainclothes officers when they responded to reports of a bicycle theft near 24th and Folsom streets around 9:45 p.m. on Feb. 27, police said.

The two officers, who had their badges displayed on the outside of their clothing, encountered Amilcar Perez-Lopez, 21, who was armed and trying to steal a bicycle from another man, according to San Francisco Police Chief Greg Suhr.

Tiffe and Reboli opened fire when Perez-Lopez charged at them with the knife, Suhr said, striking him four times.

He died at the scene.

Neighbors and friends, however, provided a contrasting account of the shooting at a town hall meeting in the Mission on Monday night.

Bill Simpich, a civil rights lawyer who lives across the street from the scene of the shooting collected statements from witnesses who said that Perez-Lopez and the other man knew each other previously and that they were in a dispute over Perez-Lopez's cell phone.

Simpich also said witnesses told him that the officers never identified themselves and that Perez-Lopez, who didn't speak English had dropped the knife before the police started shooting. Both officers were placed on paid administrative leave, as is department policy, and the incident is under investigation by the homicide unit, the Office of Citizen Complaints and the district attorney's office, police said.

Kale Williams is a San Francisco Chronicle staff writer. E-mail: kwilliams@sfchronicle.com
Twitter: @sfkale

FROM THE SAN FRANCISCO CHRONICLE March 7, 2015 http://www.sfgate.com/crime/article/Supporters-of-man-killed-by-S-F-police-6121069.php

Nearly two dozen neighbors, friends and religious leaders gathered one afternoon this week at the spot in the Mission District where a 21-year-old immigrant from Guatemala was fatally shot by two plainclothes San Francisco police officers near his home.

As the vigil closed, The Rev. Paul Gawlowski of St. Paul of the Shipwreck Church went around the circle, asking people what they hoped might emerge from the death of Amilcar Perez-Lopez. "I hope that this can start to break down the adversarial nature of the relationship between the police and the community," said neighbor Zoey Mullery.

"We need an independent review system for police shootings," said Dale Gish, a neighbor and church pastor. "It's an inbred system that does not lead to justice."

Police Chief Greg Suhr held a town hall in the neighborhood after the Feb. 26 shooting, but distrust shadowed Thursday's vigil. Those who knew Perez-Lopez remained confounded by the police account of what happened — that officers interrupted the young man as he tried a knifepoint bike robbery, and had no choice but to shoot him in self-defense.

Conflicting accounts are an enduring thread in police shootings. But Perez-Lopez's supporters said the actions he allegedly took before being shot simply don't square with his reputation as a hardworking construction worker who sent nearly every penny he earned to his homeland to support his parents and three younger brothers.

"I wasn't there when he was shot, but I know the character of this guy, and I told the cops they have the wrong story," said Kevin Born, Perez-Lopez's boss at Ashbury Construction for more than two years. "It's a travesty. This guy's name is being besmirched as a criminal and that is not what he was."

Police called to scene

According to Suhr and other police officials, the fatal confrontation began around 9:45 p.m. on Folsom Street, just off the bustling 24th Street corridor that many consider the heart of the Mission. Police received a call about a man with a knife chasing a second man, the chief said. Perez-Lopez was attempting to steal a bike from the second man, officials said. When two plainclothes officers responded to the scene and ordered Perez-Lopez to drop the knife, he allegedly slashed at one of them, forcing the officers to fire the fatal shots.

"The officers, as they are only allowed to fire in defense of themselves or others, felt that one of those situations was in play," Suhr said the day after the shooting.

Police officials said both officers, Craig Tiffe and Eric Reboli, wore badges on the outside of their clothing.

Account questioned

The account of the shooting has been questioned, however, by Bill Simpich, a civil rights attorney who lives across the street from where Perez-Lopez was shot, and Florencia Rojo, who lives next door.
They said they spoke to witnesses and learned that Perez-Lopez knew the man with the bicycle. He had been antagonizing Perez-Lopez and his roommates for some reason, Simpich said, and had borrowed Perez-Lopez's phone.

Perez-Lopez grabbed the knife to threaten the man and force him to give back his phone, Simpich said, then chased him down 24th Street. He quoted witnesses as saying the two officers had not identified themselves as police as they came up behind Perez-Lopez, who did not speak English.

Simpich said witnesses also recounted that Perez-Lopez had dropped the knife before he was shot. But The Chronicle has been unable to speak to these witnesses, and police have stated repeatedly that the young man was armed with the blade, which was recovered.
Friends speak out

A photograph of the shooting scene shows the alleged victim of the attempted robbery in handcuffs on the sidewalk. Police said he was only briefly cuffed before he was released. Capt. Daniel Perea of Mission Station said the man later thanked him and said the officers had saved his life.

Those who knew Perez-Lopez, who has no known criminal record, said he had no reason to rob anyone.

"He was never the kind of guy who would steal anything," said Eduardo Ramon, 28, a friend and co-worker. "He had a lot of dreams. He was saving money to build a house for his parents back in Guatemala."

Officer Albie Esparza, a police spokesman, said the shooting will be investigated by San Francisco homicide inspectors, as well as the department's internal affairs unit, the district attorney's office and the civilian Office of Citizen Complaints. Ultimately, the district attorney must decide if criminal charges are warranted.

"I know that people want answers quickly," Esparza said. "But we have to take our time to investigate every fact, look at every piece of forensics and talk to every witness."

'I don't trust them'

Some in the community don't trust San Francisco police to look into the actions of the department's own officers, and are asking for a completely independent probe.

"The cops came around to ask me about Amilcar, but I don't really want to talk to them because they could be friends with the ones who shot him," said Ramon. "I don't trust them."

Kale Williams is a San Francisco Chronicle staff writer. E-mail: kwilliams@sfchronicle.com
Twitter: @sfkale

FROM THE SAN FRANCISCO CHRONICLE March 3, 2015 http://www.sfgate.com/crime/article/Man-killed-by-S-F-police-didn-t-speak-English-6110102.php

Neighbors provided a conflicting version of the shooting that killed Amilcar Perez-Lopez, 21, as San Francisco Police Chief Greg Suhr stood by the police account that Perez-Lopez was armed and trying to steal a bicycle from another man when two plainclothes officers encountered him at 24th and Folsom streets about 9:45 p.m. Thursday.

"Lies! Those are lies!" community members shouted at the chief as he tried to speak at a town hall meeting at Cesar Chavez Elementary School.

An hour before the meeting, neighbors and friends of Perez-Lopez gathered in front of the school to relay the details that they had collected.

Neighbors Bill Simpich and Florencia Rojo had been speaking to witnesses and friends since Thursday's shooting.

"None of the witnesses interviewed to date support the police claim that Amilcar ever threatened to steal the bicyclist's bike," Simpich said.

The neighbors said they learned Perez-Lopez and the man police said was the attempted robbery victim knew each other.

The alleged victim had been antagonizing Perez-Lopez and his roommates, Simpich said, because he knew they were facing eviction from their home at 24th and Folsom streets. The

man had borrowed Perez-Lopez's phone earlier that night but refused to give it back and wouldn't let him back in his home, Simpich said.

Perez-Lopez grabbed a knife to threaten the man and force him to give back his phone, Simpich said, and chased him down 24th Street. Witnesses then told Simpich that they saw Perez-Lopez walking from 25th Street to 24th, and two plainclothes officers coming up behind him.
Amilcar Perez-Lopez was shot dead by two San Francisco plainclothes police officers near 24th and Folsom streets last Thursday.

Amilcar Perez-Lopez was shot dead by two San Francisco plainclothes police officers near 24th and Folsom streets last Thursday.

Simpich said the two men never identified themselves as police officers, and Perez-Lopez had dropped the knife before they began firing at him.

Witnesses said they saw the alleged robbery victim handcuffed on the sidewalk after the shooting, leading them to believe that he, too, was a suspect before police called him a victim. Police said he was only briefly handcuffed before being released. Mission Station Capt. Daniel Perea said he thanked him and said the officers saved his life.

At the meeting, Suhr said the confrontation began when police received a call about a man with a knife chasing a second man. When the two plainclothes officers got close to Perez-Lopez, he slashed the knife at an officer.

The two officers shot Perez-Lopez when he charged at them with the knife raised, Suhr said. "What does a cover-up look like? This is what a cover-up looks like!" the community members chanted at the chief.

"Another one," shouted a fifth-grade student whose mother asked not to be identified. "Another one. You're supposed to protect the people, but what are you doing? You're doing the opposite. You're murdering the people. Shame on you. Shame on you. Shame on you."

The shooting came almost a year after Alex Nieto, a longtime Mission District resident and community organizer, was shot and killed on Bernal Hill. Community members have long disputed the police account of that shooting, and many said they saw the two shootings as part of a nationwide trend of police shooting men of color with little justification.

"Just in L.A. yesterday, they caught on camera the killing of a homeless man. We've seen the cases of Eric Garner, Mike Brown," the Answer Coalition's Frank Lara said before the meeting. "All throughout the city, all throughout the state and the Bay Area, all throughout the country, we're just seeing killing upon killing with police impunity. They never get charged."

During the meeting, a woman brought up that the day after Perez-Lopez was shot and killed, police were able to talk down an armed and barricaded woman who had hurt a man before threatening to harm herself.

"I don't understand why that female is still alive getting help, while Amilcar, Alex and O'Shaine are dead," she said.

0134-15

O'Shaine Evans was shot and killed by San Francisco police near AT&T Park in October. Fernando Quinonez, a friend of Perez-Lopez's, said he was a humble, hardworking man who worked nonstop to provide for his family in Guatemala. He said there was no way he was trying to steal a bicycle.
"When I heard about it, that he was trying to steal a bike, I knew that was a lie," he said. "He's not the kind of person that would do that. He's a really hardworking guy who would go from his job to his house."

Thursday's shooting is under investigation by police and the district attorney's office. Suhr said the names of the officers involved will be released by Friday.

Chronicle staff writer Henry K. Lee contributed to this report.
Vivian Ho is a San Francisco Chronicle staff writer. E-mail: vho@sfchronicle.com Twitter: @VivianHo

(State law passed in 1995 mandates that the following statement be provided to, read and signed by persons filing complaints. The OCC encourages the filing of a complaint by anyone who believes he or she is a victim or a witness of improperpolice conduct or policies.)

ACKNOWLEDGEMENT OF COMPLAINANT (148.6 P.C.)

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED FOR AT LEAST FIVE YEARS. IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

X **I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT.**

☐ **THE ACKNOWLEDGMENT HAS BEEN READ TO THE COMPLAINANT.**

C[redacted] 3-11-15 3-11-15	**Taken By (Name/#/Unit)/Date:** 03/11/15 INV. MARY IVAS & Brent Begin
Assigned Investigator/Date: INV. DAVID AYLET 3/27/15	**Closure Approval/Date:**

Department of Police Accountability Allegation Form

DPA CASE NO. 0134-15
COMPLAINANT: [redacted]

Incident, Citation, or CAD Number
150-178-555X

Complaint Received					
Person	Phone	Mail-in	Online	SFPD	Other
X					

Complaint Against		
Person	Policy	Procedure
X		

Location of Occurrence	
Type	District
01	D

Activity	Type	DISP.	Uniform Yes	Uniform No	Rank	Member's Name & Star Number	Unit	Svc.	Gender	Eth.
09	ND	PC		X	Q3	ERIC REBOLI #1651	3D39	[redacted]	M	1
09	ND	PC		X	Q3	ERIC REBOLI #1651	3D39	[redacted]	M	1
09	UF	PC		X	Q3	ERIC REBOLI #1651	3D39	[redacted]	M	1

ALLEGATIONS:

Neglect of Duty (ND)—The officer failed to comply with DGO 5.20. (1651)

Neglect of Duty (ND)—The officer failed to comply with DGO 5.08. (1651)

Unnecessary Force(UF)-The officer used excessive force during a detention. (1651)

Department of Police Accountability Allegation Form

DPA CASE NO. 0134-15
COMPLAINANTS: [redacted]

Incident, Citation, or CAD Number
150-178-555X

Complaint Received					
Person	Phone	Mail-in	Online	SFPD	Other
X					

Complaint Against		
Person	Policy	Procedure
X		

Location of Occurrence	
Type	District
01	D

Activity	Type	DISP.	Uniform Yes	Uniform No	Rank	Member's Name & Star Number	Unit	Svc.	Gender	Eth.
09	ND	PC		X	Q3	CRAIG TIFFE #1312	3D39	[redacted]	M	1
09	ND	PC		X	Q3	CRAIG TIFFE #1312	3D39	[redacted]	M	1
09	UF	PC		X	Q3	CRAIG TIFFE #1312	3D39	[redacted]	M	1

ALLEGATIONS:

Neglect of Duty (ND)—The officer failed to comply with DGO 5.20. (1312)

Neglect of Duty (ND)—The officer failed to comply with DGO 5.08. (1312)

Unnecessary Force(UF)-The officer used excessive force during a detention. (1312)

DPA ADDED ALLEGATION FORM

DPA CASE NO. 0134-15 COMPLAINANTS: [redacted]

ALLEGATION:

Neglect of Duty - The officer failed to properly handle evidence. (1522)

During the course of the investigation, the DPA learned of questions raised regarding the handling of evidence at the scene of the officer-involved-shooting.

Activity	Type	DISP.	Uniform Yes	Uniform No	Rank	Member's Name & Star Number	Unit	Svc	Sex	Eth
12	ND	NS	X		[redacted]	[redacted]	[redacted]	[redacted]	M	3

DPA ADDED ALLEGATION FORM

DPA CASE NO. 0134-15 COMPLAINANTS: [redacted]

ALLEGATION:

Neglect of Duty - The officer failed to properly handle evidence. (1712)

During the course of the investigation, the DPA learned of questions raised regarding the handling of evidence at the scene of the officer-involved-shooting.

Activity	Type	DISP.	Uniform Yes	Uniform No	Rank	Member's Name & Star Number	Unit	Svc	Sex	Eth
12	ND	NS	X		[redacted]	[redacted]	[redacted]	[redacted]	M	1

DPA ADDED ALLEGATION FORM

DPA CASE NO. 0134-15 COMPLAINANTS: [redacted]

ALLEGATION:

Neglect of Duty - The officer failed to properly handle evidence. (ID Pending)

During the course of the investigation, the DPA learned of questions raised regarding the handling of evidence at the scene of the officer-involved-shooting.

Activity	Type	DISP.	Uniform Yes	Uniform No	Rank	Member's Name & Star Number	Unit	Svc	Sex	Eth
12	ND					ID Pending				

OFFICE OF CITIZEN COMPLAINTS
WITNESS LIST
OCC CASE NO. 134-15

(V1)

Civilian [X] Officer [ ]
Name: [redacted]
Address: [redacted]
City: [redacted]
State: CA Zip:
Telephone: [redacted]

Civilian [X] Officer [ ]
Name: [redacted]
Address: [redacted]
City: SF
State: [redacted] Zip:
Telephone:

(RW?)

Civilian [X] Officer [ ]
[redacted]

Civilian [X] Officer [ ]
[redacted]

Civilian [ ] Officer [X] MARIE
Name: Dominique ELLIS #1614
Address: 3D 14D
City:
State: Zip:
Telephone: [redacted]
Detained [redacted]

Civilian [X] Officer [ ]
[redacted]

(RW5) Civilian [X] Officer [ ]
[redacted]

Civilian [X] Officer [ ]
[redacted]

Civilian [X] Officer [ ]
[redacted]

Civilian [✓] Officer [ ]
[redacted]

OFFICE OF CITIZEN COMPLAINTS
WITNESS LIST
OCC CASE NO. 0134-15

Civilian [X] Officer [ ]

[redacted]

Civilian [X] Officer [ ]

[redacted]

Civilian [ ] Officer [X]
Name: JOSHUA CABILLO #1014
Address: 3D14D
City:
State: Zip:
Telephone: [redacted]

Civilian [X] Officer [ ]

[redacted]

Civilian [ ] Officer [ ]
Name:
Address:
City:
State: Zip:
Telephone:

Civilian [ ] Officer [ ]
Name:
Address:
City:
State: Zip:
Telephone:

Civilian [ ] Officer [ ]
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Civilian [ ] Officer [ ]
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State: Zip:
Telephone:

Civilian [ ] Officer [ ]
Name:
Address:
City:
State: Zip:
Telephone:

DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT

DATE OF COMPLAINT: 03/11/15 **DATE OF COMPLETION:**

Officers Eric Reboli #1651 and Craig Tiffe #1312
SUMMARY OF ALLEGATIONS #1-2: The officers failed to comply with DGO 5.20, Language Access Services for Limited English Proficient (LEP) Persons.

CATEGORY OF CONDUCT: ND FINDING: PC DEPT. ACTION:

FINDINGS OF FACT: Two civilians complained to the Department of Police Accountability (DPA) that police officers responding to a call of a theft and violent dispute between two Spanish speakers could not communicate with the suspect in his native language, which may have led to the officers shooting the suspect. The complainants stated that because the named officers were unable to speak to the suspect in Spanish, they violated Department General Order 5.20, Language Access Services for Limited English Proficient (LEP) Persons.

Department General Order 5.20 states that officers shall take every reasonable step to ensure timely and accurate communication and access to all individuals regardless of national origin or primary language. The order also states that in exigent circumstances such as threats to life, safety, or property, a member can deviate from established procedures.

Dispatch records showed that the A-priority call was about a man with a large knife chasing another man, both yelling in Spanish. The 911 caller was an eyewitness who told DPA he heard both parties yelling in what may have been a dialect other than traditional Spanish, while the suspect ran rapidly after the victim wielding a knife. He said both ran close enough to him that it was apparent the suspect intended to harm the victim.

The intended victim stated that he and the suspect spoke to each other in Spanish and that the named officers intervened as the suspect was running after him with a knife, intending to kill him.

One named officer stated that he did not hear radio broadcasts reporting the subjects were Spanish speakers. The other named officer stated that he heard the broadcasts, but his unit was so close to the reported location that he and his partner arrived before any other unit. Both officers described the situation as unfolding rapidly.

The named officer who first approached the suspect stated he identified himself as police, but the suspect appeared intoxicated, with a crazed look in his eyes. He said the suspect lunged at him, slashing toward his chest with a large butcher knife, and then raised the weapon to face level before running toward his partner, while continuing to chase his intended victim. Both named officers stated the suspect never spoke, and his attempts to stab the victim and both officers represented an exigent circumstance requiring deviation from established procedures.

The DPA made indirect contact with three critical eyewitnesses. Multiple requests by DPA for their interviews were ignored or declined by counsel representing the estate of the deceased. Moreover, complainants and organizers of a coalition protesting some police shootings petitioned the DPA to stop the assigned DPA investigator from attempting to interview the three eyewitnesses. However, counsel allowed the District Attorney' office to interview them provided their testimonies would not be shared with S.F.P.D. or the OCC/DPA. Therefore, the DPA was unable to interview the eyewitnesses to the shooting.

No other witnesses came forward.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

Officers Eric Reboli #1651 and Craig Tiffe #1312
SUMMARY OF ALLEGATIONS #3-4: The officers failed to comply with DGO 5.08, Non-Uniformed Officers.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: Two complainants not present during an officer-involved shooting complained that eyewitnesses reported that two plainclothes officers attempted to detain an armed suspect from behind, in darkness, without identifying themselves as police officers. The named officers were the officers initially responding to the incident, and who ultimately shot a knife-wielding assailant.

Department General Order 5.08 establishes policies regarding non-uniformed officers and requirements for identification before detention and arrest. The order establishes that officers shall not initiate such contacts except when witnessing an aggravated situation requiring immediate action to protect life or property.

A man who said he was the intended victim of the armed suspect told homicide inspectors that he was in the street near a parked car, being chased by a man with a knife, when both named officers, displaying their stars, exited their unmarked vehicle. The victim stated that everything happened rapidly, but had the named officers not intervened, the suspect would have killed him.

A 911 caller who reported the incident confirmed that he saw the suspect chasing the intended victim with a knife, but said he was no longer present when the officers interacted with the suspect.

The named officers stated they were about three blocks from the scene when they heard the broadcast of a call for service involving a man chasing another man with a knife. The officers stated that due to their proximity, they did not activate their lights or siren while responding in their car. One named officer said he pushed a button to alert dispatch they were responding as a backup unit, but there was no electronic or voice evidence found for their response. However, they were the first unit on scene. One named officer stated his star was clipped to his belt, fully exposed, when he approached the victim on the street and later on when the suspect advanced toward him on the sidewalk while making slashing motions with a knife. The other named officer said he announced himself as, "police," and held his star in front of his chest to show it as he approached the suspect and asked him to step away from a car. That named officer said the suspect gave no verbal response, appeared intoxicated and "looked through" him. The officer said the man had "a bloodlust-crazed look" in his eyes before lunging and slashing toward the officer's chest with a knife, and then running toward his partner and his original intended victim.

Two additional officers who arrived seconds after the officers discharged their weapons could not discern whether the named officers displayed their stars on their outermost clothing. Many officers who arrived thereafter gave conflicting accounts to DPA over how the officers displayed their stars.

No other witnesses came forward.

The evidence established that the incident was an aggravated situation, requiring immediate action by the named officers.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

Officers Eric Reboli #1651 and Craig Tiffe #1312
SUMMARY OF ALLEGATIONS #5-6: The officers used excessive force during a detention

CATEGORY OF CONDUCT: **UF** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: Two complainants stated that the named officers used excessive force when they discharged their firearms six times into the rear torso and back of the head of one of two men in a dispute, after that man had dropped a knife and was running away, thereby no longer posing a threat to officers or his intended victim.

Department General Order 5.01, Use of Force, as it read in 2015, defined unnecessary force as the type or degree of force employed that is neither necessary nor appropriate and any degree of force utilized as

summary punishment or for vengeance. Justification for the use of force, including lethal force, is limited to what is reasonably known or perceived by the officer at the time and facts discovered after the fact, no matter how compelling, cannot be considered in determining whether the force was justified.

The DPA reviewed the Homicide Detail case file and recordings, the crime scene report, two autopsy reports conducted by the San Francisco Medical Examiner and a private forensic pathologist, interviewed assigned homicide personnel, the CSI members who photographed, videotaped, and documented in a report this officer-involved shooting crime scene. DPA also interviewed the two officers involved in the shooting, the first four officers who arrived as backup, and patrol supervisors involved in briefing homicide, CSI, and directing the required tasks of first responders.

The DPA investigation established that the suspect and victim knew each other. For reasons unknown beyond a bicycle theft or a dispute over a cell phone, a verbal argument arose between them. The evidence further established that during the verbal argument on the street, the suspect entered his residence, retrieved a butcher knife and began a running chase of his intended victim around parked vehicles throughout a residential block. A 911 caller who reported the violent dispute said he watched as the suspect chased another man while both yelled in language like Spanish. DEM records and a SFMTA bus video further corroborated that the chase lasted several minutes before 911 was notified.

The named officers stated they responded to a call of a man chasing another man with a knife. When the officers arrived at the scene, they saw two men, apparently in a dispute. The first officer attempted to detain one subject in the street beside a parked car, while the second officer attempted to detain the other subject on the sidewalk side of the car. The officers said when they arrived, they did not know which subject had the knife.

The officer who approached the subject on the sidewalk said he announced himself as, “Police,” and showed his star in case the subject did not speak English, while gesturing for the man to step away from the car, but the suspect did not respond and displayed a crazed, determined look. As the officer was struggling with the subject on the sidewalk, the subject resisted, and the officer attempted to take him to the ground. The officer realized his attempt to subdue the subject was not going to be successful, so he disengaged and pushed the subject away from him and jumped back. The subject countered by lunging at him and, with his right hand, made a stabbing motion across the officer’s chest. Only when the subject raised his hand to face level did the officer say he saw a knife. He said at that time, he drew his weapon and yelled at the subject, who had turned and was facing the officer’s partner, to drop the knife.

Meanwhile, the officer attempting to subdue the subject in the street saw his partner struggling with the man on the sidewalk, separated from the man in the street and ran to his partner’s aid. The man he had been trying to subdue ran around the parked car in the street.

At this time, both officers were at different locations on the sidewalk, aiming their handguns at the man with the knife. They said they ordered him to drop the knife or they would shoot. One officer said the man with the knife turned and moved past him, running toward the man in the street with his knife raised. That officer said he fired at least one shot to prevent the continued knife attack against the victim in the street. When he saw that the suspect just flinched at the shot and continued moving in between two parked cars, the officer said he repositioned to continue shooting, while hearing one shot from his partner on his left.

The other named officer said from the moment he drew his weapon, things slowed down and his focus was on the knife, but he saw the suspect take a step in his partner's direction somewhere to his right, swipe with the knife raised in his partner's direction, and then he heard shots. As those shots were fired, this officer said he saw the suspect still moving away, seemingly fixated on something in the street. The officer stated that, at that point, he could not be sure where the suspect's intended victim was, but that he had last seen the man on the street side of the parked car. The officer then saw the suspect take a step in between two parked cars, look down on the street, and raise the knife overheard. He believed the suspect was intending on harming the man in the street, which led him to fire his weapon once, after which the suspect dropped.

The SF Medical Examiner's toxicological report indicated that the level of alcohol in the suspect's body was measured at a point where subjects predictably experience stupor and severe impairment of all mental, physical, and sensory functions. The Medical Examiner's report indicated that the suspect would have had a high propensity for accidents, increased motor impairment, diminished comprehension, and impaired mental judgment.

The suspect's intended victim stated the officers saved his life.

The first back up officer on scene said the victim told him something to the effect that once the named officers showed up, the suspect turned on the officers, allowing him to move away.

Numerous witnesses on the street heard commands to either get on the ground or get down immediately before hearing discharges. The man who reported the dispute to 911 told the DPA that, based on his observations of the foot chase, the suspect's intent was to use the knife to harm the victim.

No other witnesses came forward. The DPA made contact with three witnesses, two of whom were described as having seen the shooting from a nearby porch, but those witnesses provided their account of the incident only to the District Attorney, and did not respond to requests to be interviewed by the DPA.

DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT

The evidence established that the named officers had reasonable cause to believe that they and another person were in imminent danger of death or serious bodily injury. Given the totality of the circumstances, the named officers' use of their firearms was justified, lawful, and proper.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

SUMMARY OF DPA-ADDED ALLEGATIONS #1-2: The officers failed to properly handle evidence.

CATEGORY OF CONDUCT: **ND** **FINDING:** **NS** **DEPT. ACTION:**

FINDINGS OF FACT:

. . .

DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT

[redacted]

DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT

DATE OF COMPLAINT: 03/11/15 **DATE OF COMPLETION:**

[redacted]

San Francisco Police Department
INCIDENT REPORT

Report Type: Initial

150178555

INCIDENT

Incident Number	Occurrence From Date / Time	Occurrence To Date / Time	Reported Date / Time	CAD Number
150-178-555	02/26/2015 21:44		02/26/2015 21:47	150573716

Type of incident
ASSAULT, AGGRAVATED, ON POLICE OFFICER, W/ KNIFE 04072 ROBBERY, W/ KNIFE 03072

Location of Occurrence:	At Intersection with/Premise Type	District
2857 FOLSOM ST	STREET, (NOT SIDEWALK)	MISSION

Confidential Report?	Arrest Made?	Suspect Known?	Suspect Unknown?	Non-Suspect Incident?	Domestic Violence?	(Type of Weapon Used)	Reporting Unit
☑	☐	☐	☑	☐	☐		3D92

Location Sent / On View:	At Intersection with	Reporting District
24TH ST	FOLSOM ST	MISSION

Crime and Clearance Status	Reported to Bureau	Name	Star	Date/ Time	Elder Victim	Gang Related?	Juvenile Subject?	Prejudice Based?
0	DOC	Joseph, Andrea	1808	02/26/2015 22:11	☐	☐	☐	☐

150178555

OFFICER DECLARATION

I declare under penalty of perjury, this report of _8_ pages is true and correct, based on my personal knowledge, or is based on information and belief following an investigation of the events and parties involved.
PROP 115 CERTIFIED Post Training

	Star	Station	Watch	Date
Reporting Officer: COTA, MICHAEL J	357	Mission Station	2100-0700	02/27/15 08:47
Reviewing Officer: FONG, THOMAS W	1088	Mission Station	2100-0700	02/27/15 08:50
OIC: IM, MARK Y	2096	Mission Station	1500-0100	02/27/15 08:53

Related Case	Related Case	Re-assigned to	Assigned to 5H200	Assigned by
--	--	Copies to 5H200 3*300 3*300	Add'l Copies	MC 357

VICTIM 1

Code	Name (Last, First Middle)	Alias	Email
V 1	TIFFE, CRAIG		

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Work				

Night Phone	Type	Work Address	City	State	Zip Code
[redacted]	Work	[redacted]	SAN FRANCISCO	CA	94110-

DOB / Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type	Jurisd.	ID No.
	☐										

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☐	STRANGER/NONE

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
		STAR #1312

VICTIM 2

Code	Name (Last, First Middle)	Alias	Email
V 2	REBOLI, ERIC		

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Work				

Night Phone	Type	Work Address	City	State	Zip Code
[redacted]	Work	[redacted]	SAN FRANCISCO	CA	94110-

DOB / Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type	Jurisd.	ID No.
	☐										

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☐	STRANGER/NONE

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
		STAR #1651

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

R/VICTIM 1

Code	Name (Last, First Middle)	Alias	Email
R/V 1	[redacted]		None

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Cell				

Night Phone	Type	Work Address	City	State	Zip Code
(000) 000-0000	None				

DOB	/ Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type	Jurisd.	ID No.
[redacted]	[redacted]	☐		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]			

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☑	☐	1014	YES ☑	YES ☑	STRANGER/NONE

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
	NONE	PONY TAIL. WEARING BLK BEANIE, GRAY SWEATER, BLK PANTS, BLK BOOTS.

R/WITNESS 1

Code	Name (Last, First Middle)	Alias	Email
R/W 1	[redacted]		[redacted]

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Cell	[redacted]	[redacted]	[redacted]	[redacted]

Night Phone	Type	Work Address	City	State	Zip Code
[redacted]	Other				

DOB	/ Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type	Jurisd.	ID No.
[redacted]	[redacted]	☐		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☑	[redacted]

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
	NONE/NONE	[redacted]

R/WITNESS 2

Code	Name (Last, First Middle)	Alias	Email
R/W 2	[redacted]		NONE

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Cell	[redacted]	[redacted]	[redacted]	[redacted]

Night Phone	Type	Work Address	City	State	Zip Code
(000) 000-0000	None				

DOB	/ Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type	Jurisd.	ID No.
[redacted]	[redacted]	☐		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]			

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☑	[redacted]

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
	NO INJURY	

R/WITNESS 3

Code	Name (Last, First Middle)	Alias	Email
R/W 3	[redacted]		None

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Cell	[redacted]	[redacted]	[redacted]	[redacted]

Night Phone	Type	Work Address	City	State	Zip Code

DOB	/ Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type	Jurisd.	ID No.
[redacted]	[redacted]	☐		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☑	[redacted]

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language

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R/WITNESS 4

Code	Name (Last, First Middle)	Alias	Email
R/W 4	[redacted]		NONE

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Cell	[redacted]	[redacted]	[redacted]	[redacted]

Night Phone	Type	Work Address	City	State	Zip Code
[redacted]	Cell				

DOB / Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type Jurisd. ID No.
[redacted]	☐		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☑	[redacted]

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
	NONE	

R/WITNESS 5

Code	Name (Last, First Middle)	Alias	Email
R/W 5	[redacted]		NONE

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Cell	[redacted]	[redacted]	[redacted]	[redacted]

Night Phone	Type	Work Address	City	State	Zip Code
[redacted]	Other				

DOB / Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type Jurisd. ID No.
[redacted]	☐		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☑	[redacted]

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
	N/A	

REPORTEE 1

Code	Name (Last, First Middle)	Alias	Email
R 1	[redacted]		None

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Cell	[redacted]	[redacted]	[redacted]	[redacted]

Night Phone	Type	Work Address	City	State	Zip Code
[redacted]	Cell				

DOB / Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type Jurisd. ID No.
[redacted]	☐		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☑	[redacted]

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
		HEARD INCIDENT ONLY.

REPORTEE 2

Code	Name (Last, First Middle)	Alias	Email
R 2	[redacted]		None

Day Phone	Type	Home Address	City	State	Zip Code
[redacted]	Cell	[redacted]	[redacted]	[redacted]	[redacted]

Night Phone	Type	Work Address	City	State	Zip Code
[redacted]	Cell				

DOB / Age	DOB Unk.	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color	ID Type Jurisd. ID No.
[redacted]	☐		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Confidential Person	Violent Crime Notification	293 PC Notification	Star	Follow-up Form	Statement	Relationship to Subject
☐	☐	☐		YES ☐	YES ☑	[redacted]

School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language
		HEARD ONLY, DID NOT SEE INCIDENT

SUSPECT 1

Code	Name (Last, First Middle)	Alias	Email
S 1	DOE, JOHN		

Day Phone	Type	Home Address	City	State	Zip Code
(000) 000-0000	Unknown				

Night Phone	Type	Work Address	City	State	Zip Code
(000) 000-0000	Unknown				

DOB	Date of Birth	Age	or age between and	Race	Sex	Height	Weight	Hair Color	Eye Color
Unknown ☑				[redacted]	[redacted]			[redacted]	

SFNO	J/D# (if Juvi)	ID Type/Jurisdiction/Number	ID Type/Jurisdiction/Number	ID Type/Jurisdiction/Number

Booking Charge(s)	Booking Location

Warrant #	Court#	Action#	Dept#	Enroute to

Warrant Violation(s)	Bail ($)

Citation#	Violation(s)	Appear Date/time	Location of Appearance

☐ CA Form Booked Copy Attached	Mirandized: Star ☐	Date Time	CWB Check Star

Book/Cite Approval Star	Mass Arrest Code	M X-Rays ☐	School (if Juvenile)	Statement ☐

Other Information: Citation/Warrant/Booking Charge(s)/Missing Person-Subject Description; Scars, Marks, Tattoos
PONY TAIL, DARK HOODIE AND DARK PANTS WITH BLUE BASKETBALL SHORTS UNDER. DECEASED, MEDICAL EXAMINER DESIGNATED AS JOHN DOE #27

PROPERTY E1

Code/No	Item Description	Brand	Model
EVD 1	MEDICAL EXAMINER PROPERTY RECEIPT	CITY & COUNTY OF SAN FRAN	

Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value
			YEL		1	TBD

Seized by (Star)	From Where
357	MEDICAL EXAMINER HELLMAN #109

Additional Description/Identifying Numbers

PROPERTY E2

Code/No	Item Description	Brand	Model
EVD 2	CRIME SCENE LOG	SFPD	28

Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value
			WHI		4	TBD

Seized by (Star)	From Where
860	OFC. OBIDI #2328 & OFC. KOVITPRAKORNKUL #2177 AT MISSION STATION

Additional Description/Identifying Numbers

PROPERTY D1

Code/No	Item Description	Brand	Model
DMG 1	BULLET HOLE ABOVE GARAGE DOOR		

Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value
			GRY		1	$0.00 Total

Seized by (Star)	From Where

Additional Description/Identifying Numbers
[redacted]

PROPERTY								
D	Code/No DMG 2	Item Description BULLET HOLE TO OUTSIDE WALL				Brand		Model
2	Serial No.	Gun Make	Caliber	Color GRY		Narcotics Lab No.	Quantity 1	Value $0.00 Total
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers [redacted]							

CONFIDENTIAL

NARRATIVE

On 02/26/2015 at approximately 2147 hours, Officer Galligan #860 and I were in full police uniform and driving in an unmarked vehicle. While responding to 24th St and Folsom St regarding an unknown male chasing another male with a knife (CAD #150573705), 3D14D, Officer Ellis #1614 broadcast a call of "Shots Fired!" from the same location.

Prior to our arrival, 3D14D advised that there was a male with a gunshot wound to the chest. 3D74, Officer Obidi #2328 and Officer Mayo #2308 broadcast that they were on scene and Officer Obidi was rendering aid. At which time, 3D113, Sgt Montoya #1522, 3D117, Sgt Fong #1088, 3D118 Sgt Petuya #1712, 3A52C Sgt Bandvik #479 along with several units arrived on scene. 3D300, Captain Perea #474, 3X302, Captain Osuna #2141 and 3D204, Lt Im #2096 arrived soon after.

Sgt Montoya determined that this was on officer involved shooting incident, involving (V1) Officer Tiffe #1312 and (V2) Officer Reboli #1651. Sgt Montoya obtained a Public Safety Statement from Officer Tiffe and Officer Reboli. (See Sgt Montoya's statement for further).

Numerous Mission and Bayview units responded to the area and set up a crime scene and perimeter.

Medic #71 along with Rescue Squad #2, Truck 7, Engine 11, Battallion 6 and RC3 all responded to the scene. Medic 71 advised the time of death as 2154 hours.

Officer Galligan notified Officer Joseph #1808 at DOC who made the appropriate notifications. I responded 2857 Folsom where I observed (S1) John Doe lying on the ground with a yellow blanket over him. There was a pool of blood coming from under the blanket around the head area. Doe was lying on the ground in the street between two cars; a silver Toyota ([redacted] and a blue Nissan [redacted] which were parked in front of 2857 Folsom St.

Directly to the south of Doe's head, there was a silver knife with a silver handle and an approximately 8" blade. Officer Mayo #2308 remained with the knife (See Officer Mayo's statement for further).

There was a bicycle on the sidewalk which belonged to (RV1) [redacted]

[redacted] was sitting on the sidewalk, just south of the above mentioned blue Nissan. [redacted] was crying and visibly upset. [redacted] was a Spanish only speaker and was speaking with 3D14D, Officer Cabillo #1014 who is a Department certified Spanish translator. Officer Cabillo transported [redacted] to Mission Station and then later transported him to the Homicide office located at 850 Bryant St to be interviewed by Homicide inspectors.

While on scene, Captain Perea spoke with [redacted] [redacted] told Captain Perea, "The guy, he wanted my bike and he had a knife this big." (See Captain Perea's written statement).

3D11D, Officer Buckley #1537 responded to the scene and relieved Officer Mayo and stayed with the knife and the body until CSI arrived (See Officer Buckley's written statement).

Officer Obidi told me when he arrived on scene, he observed Doe on the ground. Officer Obidi immediately began to render aid by performing CPR. Officer Obidi continued to render aid until he was relieved by Medic 71. Officer Obidi then canvassed the area for possible witnesses to no avail. Officer Obidi later relieved Officer Larnauti and maintained the (E2) Crime Scene Log. (See Officer Obidi's written statement).

3C13E, Officer Cunningham #4264 responded to the scene and located 4 shell casings on the sidewalk and 1 under the Toyota (See Officer Cunningham's written statement).

Officer Lewin-Tankel #4343 and Officer Silvestri #4351 transported Officer Reboli and Officer Tiffe separately to

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Mission Station. (See their statements for further).

Homicide investigators, 5H2, Sgt Dedet #101, 5H3, Sgt Ravano #929 and Sgt Canning #269 responded and took over the investigation.

3D15D, Officer Larnauti #1996 started and kept the (E2) Crime Scene Log. Officer Larnauti then turned the Crime Scene Log to Officer Obidi.

Officer Mellone #4249 located (RW1) [redacted] who stated that he observed a police officer in full police uniform running southbound on Folsom St after a male subject while shouting "Stop!" approximately 4 times. Officer Mellone later provided Sgt Canning #269 with the [redacted] contact information. (See Officer Mellone's and Officer Larnauti's written statements).

3D16D, Officer Tsang #1518 documented vehicles in the area. Officer Tsang knocked on several doors on Folsom St and 24th St in an attempt to locate additional victims or possible witnesses. Officer Tsang located witnesses at [redacted] who all heard between 4-6 gunshots. No additional witnesses were found by Officer Tsang (See Officer Tsang's written statement).

3D12D, Officer Lin #4345 knocked on several doors on Folsom St and 24th St in an attempt to locate additional victims or possible witnesses. Officer Lin located several witnesses who heard gunshots and/or yelling at the following addresses: [redacted]
Officer Lin also located [redacted] at [redacted] who stated that he heard and saw the incident and was directly interviewed by Homicide investigators. Officer Lin located (RW3) [redacted] who stated that he heard a male voice giving verbal commands to "Get Down!" followed by several gunshots. [redacted] wrote a statement which Officer Lin seized then provided to Homicide Sgt Levy #4216. Officer Lin then transported [redacted] to 850 Bryant St where he was interviewed by Homicide investigators (See Officer Lin's written statement).

3D15E, Officer Kovitprakornkul #2177 located witnesses at [redacted] and [redacted] who all heard gunshots and/or yelling. Officer Kovitprakornkul then relieved Officer Obidi and maintained the Crime Scene Log. Kovitprakornkul later provided Officer Galligan with the Crime Scene Log after the crime scene was broken down.

3D13D, Officer Gilman #483 located (R1) [redacted] who stated that he was in his apartment located at [redacted] when he heard "Get on the ground" from outside of his apartment. [redacted] stated that he heard 4-5 gunshots. Officer Gilman also located (R2) [redacted] who was on his bicycle in front of [redacted] when heard 4 gunshots (See Officer Gilman's written statement).

Sgt Garden #404, located a witness who stated that she had heard officers say, "Put the knife down!" Sgt Garden advised Sgt Fong about the witness who then had Officer Quema #2117 remain with the witness and take a statement. (See Sgt Garden's written statement).

3C38P, Officer Wilgus #2036 and Officer Faye #1379 responded to [redacted] to meet with a witness. Officers Wilgus and Faye remained with the witness until they were relieved by Mission Officers. (See Officer Wilgus' and Officer Faye's written statements).

3C38N, Officer Leong canvassed the area for any additional victims or possible witnesses to no avail. Officer Leong located a camera at [redacted] which he later learned was inoperative. Officer Leong also located a camera facing east at [redacted]

3C12D, Officer Daniele #93 responded to [redacted] and met with the resident, identified as (RW2) [redacted] [redacted] stated that she heard yelling coming from across the street. [redacted] looked out of her window and observed two police officers approach two subjects. [redacted] stated that one of the subjects had a bicycle and was wearing a gray jacket while the other subject was wearing a black jacket. [redacted] stated that one of the officers was in a "tussle" with the subject in the gray jacket. [redacted] stated that she saw someone holding a gun at which point she moved away from the window. [redacted] stated that she heard an unknown amount of gunshots and believed that bullets hit the house. Officer Daniele then located two bullet holes on the exterior of the house: (D1) one located

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above the garage door and (D2) one on the wall next to the front door. Officer Daniele located a spent bullet slug on the ground just outside of the house. Officer Daniele stayed with [redacted] until relieved by other units (See Officer Daniele's written statement).

3D16D, Officer Buckley #529 located witnesses at [redacted] and [redacted] who all heard gunshots and/or yelling. (See Officer Buckley's written statement).

3D16E, Officer Cunnie #181 located witnesses at [redacted] and [redacted] who all heard gunshots and/or yelling. Officer Cunnie also located (RW4) [redacted] who stated that he heard someone yell "Get down!" and then 3-4 gunshots. [redacted] then looked outside of his window and observed a police officer running southbound on Folsom St with a pistol drawn. [redacted] then observed someone performing CPR on a person lying on the street. Officer Cunnie and Officer Roman #2373 transported [redacted] to 850 Bryant St to be interviewed by Homicide investigators (See Officer Cunnie's written statement).

3D12E, Officer Quema #2117 located (RW5) [redacted] who stated that she was waiting for a bus when she observed two male subjects running northbound on the east side of Folsom St. [redacted] stated that the subjects were "running in circles" around a truck and that the subjects were trying to "Stick each other." [redacted] stated that the subjects were yelling at each other; however, she did not hear what was being said. [redacted] stated that she heard police yell, "Put it down! Drop it! Drop it now!" [redacted] stated that one of the subjects began to run southbound on the east side of Folsom St and then heard 4-5 gunshots. [redacted] then heard "Get down! Get down now!" [redacted] completed a written statement which she provided to Sgt Canning. Officer Quema and Officer Lockett transported [redacted] to 850 Bryant St to be interviewed by Homicide investigators.

3C13E, Officer Eggers #1452 located cameras at [redacted] and [redacted].

Chief Suhr #887 along with Deputy Chief Tomioka #1113, Deputy Chief Sainez #1667, Commander Redmond #1757 and Commander Moser #1434 all responded to the scene.

Lt Devlin #396, Inspector Shouldice #2054, Officer Rodelas #729, Officer Nibungco #2390 and Officer Shakur #2476 all from CSI responded and processed the scene. CSI collected all the casings, the slug, the knife and the bicycle.

Medical Examiner 1C81, Hellman #109 responded to the scene. Hellman conducted an inventory search of Doe which I witnessed. Hellman provided me with a completed (E1) a property receipt. Hellman took possession of Doe. Officer Galligan later booked the (E1) property receipt and (E2) Crime Scene Log as evidence at Mission Station.

Sgt Montoya later entered the use of force into the Use of Force Log.

SFDPA - 0179-14 - 000032

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Garden, Jason C 404			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	[redacted]

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/26/15	22:55	22:55	At Scene ☐ Other: TACT

On 02/26/2015, at approximately 2147 hours, I heard a call of "shots fired" at 24th st. and Folsom st. on my pic radio. Off. WIlson #20 and I responded to the area. When we arrived on scene, I began walking s/b Folsom st. from 24th st., when I heard a white female, later identified as [redacted] DOB [redacted] say "I heard the police say 'Put the knife down. Put the knife down.' I think they shot him. I don't know." She was speaking into her cell phone when she made this statement. I approached her. She told me she was standing in front of the bus stop on Folsom st., [redacted]

I informed 3D117, Sgt. Fong #1088, about the witness. He then directed Off. Quema #2117 to take a statement from [redacted]. I told Off. Quema what I had heard and she took over interviewing [redacted].

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Wilgus, Paul A 2036			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/26/15	23:44	23:44	At Scene ☐ Other: POTR

On 02/26/2015 at around 2147 hours, I responded to 25th Street at Folsom Street in the Mission District as back up to an Officer involved shooting.

Upon arrival, I began to put up crime scene tape to secure the scene. I was asked by Lt. Molina #1586 to respond to 24th Street at Shotwell Street to meet with a 909 ([redacted] who had witnessed part of the incident.

After locating [redacted], I escorted him back to his house and waited for the investigators to respond.
At around 2330 hours, I was relieved by Mission units who would sit with [redacted].

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Faye, Patrick T 1379			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/26/15	23:45	23:54	At Scene ☐ Other: POTR

On 02-26-2015 I was working in plain clothes in an unmarked police vehicle with Officer Wilgus #2036 when we responded to the area of Folsom St between 24th St and 25th St regarding a "shots fired" call. Officer Wilgus and I arrived on scene and donned our SFPD "raid jackets." We assisted in placing crime scene tape up around the crime scene. Per Lt Molina #1586 we responded to [redacted] to meet a possible witness. Officer Wilgus and I met with (R/W) [redacted] who told us that he saw the incident occur. I notified Lt Molina of the witness. Officer Wilgus and I stayed with the witness until we were relieved by a unit from Mission Station.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Leong, Christopher N 513			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/26/15	23:50	23:50	At Scene ☐ Other: POTR

On 2-26-2015 at approximately 2147 hours, Sgt. Erb #686 and I were responded to the area of Folsom and 25th as plain clothes officers with our stars on our outermost garments regarding a possible shooting. Upon arrival, I began to knock and talk on [redacted] for any potential witnesses or potential victims with negative results. I located a camera over the entry way of [redacted] Folsom St., which appeared to be facing east. I contacted the resident to [redacted] Folsom St., who advised me that their landlord ([redacted]) has access to it (Contact [redacted]). I later contacted [redacted] (resident of [redacted].), who advised me that the cameras were inactive. I also located a camera facing east on [redacted] I provided the camera locations to Sgt. Bandvik #479.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Larnauti, Paul A 1996			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	[redacted]

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/26/15	00:12	00:13	At Scene ☐ Other: MISS

On February 26, 2015 at 2150 hours Officer Mellone #4249 and I responded to 24th St. and Folsom St. in regards to an officer involved shooting. I set up yellow police crime scene tape at the corner of 25th St. and Folsom St. At 2154 hours I started the crime scene log by documenting all personnel who were present, entering and departing the location. At 2304 hours I turned over the crime scene log to Officer Obidi #2328.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Perea, Daniel A 474			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	[redacted]

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	00:43	01:13	At Scene ☐ Other: MISS

On February 26, 2015 at approximately 2148 hours, I was on duty in full police uniform at 18th St and Castro St. I heard the broadcast of an A priority call for service reporting a man was chasing another man with a knife at Folsom St and 24th St. Shortly thereafter, I heard a second broadcast reporting shots fired on Folsom St and 24th St and a request for an ambulance to respond to the location.

I responded to the location. I saw numerous Officers from Mission Station on scene including Lt Mark Im and Sgt Tony Montoya. I saw the members of SFFD rendering aid to a suspect who was lying on the street, partially between two parked vehicles. I saw (RV) [redacted] who was seated on the sidewalk approximately one car length from the suspect. I observed a silver bicycle with black tires on resting on the sidewalk.

[redacted] appeared visibly upset. I asked [redacted] if he was injured. [redacted] held out his arms, turned his hand hands over and back, looked at his lower body and said, "No I'm ok." I asked [redacted] for his name and he said, [redacted]" I asked [redacted] what happened and he told me, "The guy, he wanted my bike and he had a knife this big." As [redacted] made his statement regarding the size of the knife, he gestured with his hands. [redacted] held his right hand palm facing down and his left hand palm up, in front of his body, with his hands approximately 1 foot apart from each other. He continued stating, "You guys saved my life." [redacted] lowered his chin towards his chest and placed his right hand near his eyes and began to weep. I assured [redacted] that he was safe and he was going to be ok. I offered [redacted] water which he accepted. I asked [redacted] if he needed to call anyone and he said no. I asked [redacted] where he was going and he told me he was going home. I asked him where he lived and he told me he lived on [redacted].

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Mellone, Michael C 4249			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	00:03	00:31	At Scene ☐ Other: MISS

On Thursday, February 26, 2015, Officer P. Larnauti #1996 and I were working as uniformed patrol unit 3D15D in the Mission Police District. At about 2147 hours, I heard officers broadcast an officer involved shooting on Folsom near 24th Street. Officer Larnauti and I responded from Mission Police Station and arrived at about 2150 hours. Upon arrival, I saw officers securing the surrounding area with yellow police barrier tape, and Officer Larnauti established a crime scene log. I also saw an officer rendering cardiopulmonary resuscitation (CPR) to a male who was down on the street.

At about 2155 hours, I contacted [R/W-1] [redacted] (hereinafter [redacted] who identified [redacted] with a California driver's license. I saw [redacted] standing in-front-of his residence at [redacted] and he told me he had witnessed part of the incident while in the front room of his residence on the second-story. He told me the following (summarized):

[redacted] saw a shorter male police officer, who was dressed in full police uniform with badge displayed, running from the southwest corner of 24th and Folsom Street in a southbound direction on Folsom Street (toward 25th Street). The male officer shouted "Stop!" approximately four (4) times at an unknown male subject who appeared to be running toward him in a northbound direction. [redacted] said he initially saw the male subject running on the east sidewalk of Folsom Street in-front-of his residence. The male was wearing dark clothing, and he could not provide me with a further physical description of this individual. Shortly after hearing the uniformed officer shouting stop, he heard approximately four-to-six (4-6) gunshots.

Sergeant T. Montoya #1522 directed me to transport Officer D. Ellis #1614 to Mission Police Station for an interview. She was sequestered away from the other officers present in this incident and remained with Officer G. Talkoff #4298.

At about 2227 hours, I arrived back at the 2800-block of Folsom Street to assist with general scene security. It was at that time I notified Homicide Sergeant C. Canning #269 of my interview with [R/W-1] [redacted] and provided him with his contact information. I departed the scene at about 2315 hours, and after completion of this statement, took no further notable actions on this incident.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Cunningham, Blake W 4264			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	12:10	12:20	At Scene ☐ Other: POTR

On the above date and time, I responded to the area of Folsom and 25th to assist Mission units on shots fired.

Upon arrival I began to canvas the immediate area of the victim for shell casings.

In front of 2857 Folsom, I found 4 shell casings on the side walk and 1 shell casing under a vehicle. The vehicle, CA LP 5BZH408, was parked on the east curb line.

I marked the shell casings with yellow chalk.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Daniele, Kevin R 93			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	01:10	01:24	At Scene ☐ Other: POTR

On February 26 2015 at approximately 2147 hours Officer Hargreaves #2321 and I responded to 25th St and Folsom St regarding an Officer involved shooting.

Upon arrival a crime scene was set up. I responded to [redacted] to search for witnesses. At [redacted] I met with [redacted]. [redacted] stated she was in her mother's home [redacted] when she heard yelling coming from across the street. [redacted] looked out the front window, facing Folsom St, when she saw a grey sedan park across the street. [redacted] stated she saw what she thought were two police officers approach two suspects and shined their flashlights towards them. [redacted] stated one suspect had a bicycle and was wearing a grey jacket and black hat, and the other suspect was wearing a black jacket. [redacted] stated the Officers approached the suspects when the suspect in the grey jacket began to "tussle" with the officer and tried to get get away. [redacted] stated she saw someone holding a gun in their hand when she moved away from the window. [redacted] stated she heard an unknown amount of gun shots when she moved away from the window. [redacted] stated she thought she heard bullets hit her [redacted] home.

I canvassed the outside walls of [redacted] and located two bullet holes. One bullet hole was located above the garage of [redacted] the other bullet hole was located on the wall next to the front door of [redacted] I located a spent bullet slug on the ground outside of [redacted]. I notified Sgt. Montoya #1522 of my findings. I stayed with [redacted] until I was relieved by additional units.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Galligan, Christopher A 860			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	01:21	03:10	At Scene ☐ Other: MISS

On 02/26/2015 at approximately 2147 hrs. I was in full uniform and driving an unmarked police vehicle with my partner Officer Cota #357 when we responded to 24th and Folsom St. regarding a man chasing another man with a knife. While we were en route to the above location, I heard an additional unit broadcast "shots fired."

As Officer Cota and I responded to Folsom St. and 24th St., I heard a unit on scene state an officer involved shooting had just occurred and request an ambulance respond. Officer Cota and I arrived on scene at approximately 2150 hrs. I was instructed by Sgt. Fong #1088 to set up crime scene tape at 24th and Shotwell St. and block all vehicle traffic east bound and west bound on 24th St.

Officer Sullivan #1006 relieved me at 24th and Shotwell St. and I walked over to 2857 Folsom St. When I arrived at 2857 Folsom St. I observed (S1) John Doe laying in between two parked cars on the eastern side of Folsom St., in front of 2857 Folsom St. I also observed a large knife approximately three to five feet away from Doe.

Officer Cabillo #1014 was standing next to (R/V) [redacted]. I noticed [redacted] was visibly shaken and crying. I asked [redacted] if he was okay and [redacted] said, "No, that man tried to take my bike, he had a big knife. You guy's saved my life." As [redacted] wiped tears from his face, he stated, "He tried to hurt me and you guy's saved my life." I assured [redacted] that he was safe now and asked him if he needed anything. [redacted] responded, "No sir, thank you."

I remained at the crime scene until the Medical Examiner arrived and took custody of Doe.

While back at Mission Station, Officer Cota handed me the (E1) Medical Examiner Property Receipt. Officer Obidi #2328 and Officer Kovitprakornkul #2177 gave me (E2) Crime Scene Log. I scanned the above items into this report and booked the original copies into evidence at Mission Station.

At 0208hrs. I contacted the original 911 caller, [redacted], via telephone. [redacted] told me he had just returned home from 850 Bryant St. (Hall of Justice Homicide Division). [redacted] stated he had spoken to Sgt. Caning #269 and provided him with a statement.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Eggers, Christopher A 1452			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	01:26	01:30	At Scene ☐ Other:

On the above date and time, I responded with Ofc. Cunningham #4264 to the area of Folsom and 25th St. to assist Mission units on a shots fired call.

Once the scene was secure, I was directed to look for video cameras in the 2800 block of Folsom. I located a cameras at [redacted] I also located a camera at [redacted] I advised Dispatch of the above listed locations prior to leaving the scene.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Mayo, Michael E 2308			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	[redacted]

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/26/15	01:52	01:53	At Scene ☐ Other: MISS

On the above given date and time Officer Obidi #2328 and I responded to the area Folsom St. and 25th St. regarding a Hispanic male with a knife chasing another male adult. While en route Officers on scene advised, "shots fired".

Upon arrival, I observed an unknown Hispanic male adult lying in the roadway between two parked vehicles in front of 2883 Folsom St. As I exited my patrol vehicle I observed Officer Ellis #2189 attempting to detain a second Hispanic male adult approximately 25 feet away from the male lying in the roadway. I immediately assisted Off Ellis in detaining the unknown subject. After assisting Officer Ellis I walked over to the male lying in the roadway and observed Officer Obidi administering CPR. At this time I observed a large silver butcher knife lying in the road way approximately 5 feet away from the unknown Hispanic male and Officer Obidi. I remained with the knife until the scene was safely secured at which point Officer Buckley #1537 relieved me and preserved the knife until CSI's arrival.

After the crime scene was established I assisted several units with canvassing the area for additional witnesses', suspects, victims and evidence with negative results. I remained at the scene and assisted in maintaining the crime scene perimeter and crime scene log.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Lin, Abigayle M 4345			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	01:30	01:55	At Scene ☐ Other: HOMI

On the above listed date and time, Ofc. Talkoff #4298 and I responded as backup to a call of an officer involved shooting occurring near the intersection of 24th St and Folsom St.

We arrived and several other responding units had already established a crime scene.

I conducted knock-and-talks for the following addresses with the following results:

[redacted] – All tenants unharmed, nothing seen or heard. ([redacted], [redacted], #: [redacted]).

[redacted] - Vacant.

[redacted] - No answer to the door.

[redacted] - No answer to the door.

[redacted] - No answer to the door.

[redacted] All tenants unharmed. The tenant, [redacted] heard a commotion, and heard a male giving verbal commands to "Get down" followed by several gunshot sounds. [redacted] wrote a statement in my presence which I seized and later gave to Homicide Sgt. Levy #4216.

[redacted] - All tenants unharmed. Heard gunshots shots and yelling, but could not distinguish any words. One of the tenants, [redacted], called 9-1-1 to report the gunshots. ([redacted], [redacted], #: [redacted]).

[redacted] - All tenants unharmed. Heard gunshots only. [redacted] birth date refused, #: [redacted]).

[redacted] - No answer to the door.

[redacted] - All tenants unharmed, nothing seen or heard. ([redacted], [redacted], #: [redacted]).

[redacted] - All tenants unharmed. Heard gunshots shots and yelling, but could not distinguish any words. ([redacted], [redacted] #: [redacted]).

[redacted] - All tenants unharmed. Heard 5 gunshots only. ([redacted], [redacted], #: [redacted]).

[redacted] - All tenants unharmed. Heard gunshots only. ([redacted], [redacted], #: [redacted]).

[redacted] All tenants unharmed. Heard and saw the incident. Spoke directly with Homicide Investigators. ([redacted], [redacted], #: [redacted]).

[redacted] - All tenants unharmed. Heard gunshots only. ([redacted], #: [redacted]).

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[redacted] - No answer to the door.

[redacted] - All tenants unharmed. Heard gunshots only. ([redacted], birth date refused, #: [redacted]).

[redacted] All tenants unharmed. Heard gunshots only. ([redacted], [redacted], No phone number).

[redacted] - All tenants unharmed. Heard gunshots only. ([redacted] [redacted], #: [redacted]).

[redacted] No answer to the door.

[redacted] - All tenants unharmed, nothing seen or heard. ([redacted] [redacted], No phone number).

[redacted] - All tenants unharmed. Heard gunshots only. ([redacted] [redacted] #:[redacted]).

[redacted] - All tenants unharmed, nothing seen or heard. ([redacted], [redacted], #: [redacted]).

I canvassed the above listed addresses for CCTV cameras that may have captured the incident with negative results.

Upon the approval of Sgt. Montoya #1522, we transported [redacted] to 850 Bryant St to be interviewed by the Homicide investigators. At 850 Bryant St, we waited with [redacted] until he was interviewed by Homicide.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Montoya, Anthony M 1522			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	01:40	02:00	At Scene ☐ Other: MISS

On 2-26-15 at approximately 2147 hours, Sergeant Fong (1088) and I responded to the area of 24th Street and Folsom Street for a reported officer involved shooting. Upon my arrival, Officer Cabillo (1014) told me that Officer Reboli (1651) and Officer Tiffe (1312) had been involved in a shooting and they were mid-block on Folsom Street between 24th Street and 25th Street. I first met with Officer Reboli and asked him if he was injured and he said, "no". I then asked him if had fired his weapon and he said, "yes". I asked Officer Reboli if anyone was injured and he pointed to a male who was laying in the street and being attended to by Officer Obidi (2328). I asked Officer Reboli if anyone else was injured and he said, "no". I also asked Officer Reboli if any other suspects were outstanding and he said, "no". I then asked Officer Reboli if he knew how many rounds he fired and he said, "I don't know". I then asked Officer Reboli in what direction he fired his weapon and he pointed in a northerly direction.

After talking with Officer Reboli, I met with Officer Tiffe and I asked him if he was injured and he said, "no" I asked Officer Tiffe if he fired his weapon and he said, "yes". I then asked Officer Tiffe if anyone was injured and he said "yes" and pointed to a male who was laying in the street and being attended to by Officer Obidi. I asked Officer Tiffe if he knew how many rounds he fired and he said he was unsure. I asked Officer Tiffe what direction he fired his weapon and he pointed in a northwest direction.

I then had Officer Lewin-Tankel (4343) and Officer Silvestri (4351) transport Officer Reboli and Officer Tiffe separately to Mission Police Station.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Tsang, Dexter J 1518			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	01:50	02:06	At Scene ☐ Other: MISS

On 02/26/2015 at approximately 2148 hours, Officer Buckley #529 and I were dispatched to a shooting at the intersection of 24th Street and Folsom Street. Upon arrival, multiple Mission and Bayview Units were on scene assisting with the investigation.

I documented the vehicle license plates of the vehicles parked on Folsom Street north of 25th Street to 24th Street and they are as follows:

[redacted]

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I did not observe any damage as a result of gunfire on the above listed vehicles.

I knocked on the following addresses and received no answer:

[redacted]

I spoke with [redacted] at [redacted] (DOB: [redacted], [redacted]) who stated he heard an unknown number of gunshots but did not see any shooters.

I spoke with [redacted] (DOB: [redacted]) at [redacted] who stated she heard and saw nothing.

I spoke with [redacted] (DOB: [redacted], [redacted]) at [redacted] who stated he heard 6 gunshots fired at a steady pace and the sounds of car tires skidding.

I spoke with [redacted] (DOB: [redacted], [redacted]) at [redacted] who stated he heard 4-5 gun shots fired at a steady pace but did not see any one shooting.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Obidi, Joseph A 2328			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	[redacted]

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	01:55	02:15	At Scene ☐ Other: MISS

On the above stated date and time, Officer Mayo #2308 and I, along with several other Police units were responding to the area of 24th Street and Folsom Street regarding a male being chased by another male who had a knife.

Prior to our arrival, a unit that had arrived on scene advised of "shots fired". As we were driving northbound on Folsom Street from 25th Street, I observed an unmarked Police vehicle stopped in front of 2857 Folsom Street. I also observed a marked Police vehicle on scene. I observed a male who was later identified as (S) John Doe, laying on his face, in the street and appeared to be bleeding from the face area. Doe's legs were in between two parked vehicles and his torso was in the street. Officer Cabillo #1014 advised me that Doe had been involved in an officer involved shooting. I turned Doe onto his back and began to render aid by performing CPR. I did not feel a pulse on Doe and Doe was unresponsive. As I was performing CPR on Doe, I observed a kitchen knife approximately 3ft from Doe's head. SFFD medic #71 arrived on scene and took over.

I later assisted in canvassing the scene for potential witnesses and also any possible damage that may have resulted from the shooting, with negative results. I took over the crime scene log from Officer Larnauti #1996 and maintained it until I was relieved by Officer Kovitprakornkul #2177. I provided the crime scene log to Officer Gilligan #860.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Gilman, David M 483			[redacted]
Residence	**Zip Code**	**Business Address / City if not San Francisco**	**Zip Code**
		[redacted]	[redacted]

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	02:09	02:43	At Scene ☐ Other: MISS

On Friday February 27, 2015 Officer O'Connor #4350 and I were in full uniform and in a marked radio car. At approximately 2147 hours we responded to a report of a male chasing another male with a knife in the area of Folsom and 24th Street. We arrived on scene as an Officer advised over the radio "Shots fired". Officer O'Connor pulled the patrol vehicle up in the area of 2857 Folsom where I observed two males, prone on the east side of Folsom Street. While on scene, it became apparent it was an officer involved shooting.

I was directed to search the area for any witnesses who may have observed the officer involved shooting.

I contacted a male, (R2) [redacted] who was on his bicycle in front of [redacted] [redacted] told me the following in summary.

[redacted] is a bicycle delivery person who was on his way to pick up a delivery at "Rosa Monday" in the area of Mission Street at 24th Street. [redacted] heard what sounded like four gunshots from the area of 24th Street on Folsom Street. [redacted] rode his bicycle southbound on Folsom Street before stopping in front of [redacted].

[redacted] did not hear anything prior to hearing the gunshots and did not see any persons in the area acting suspiciously prior to hearing the gunshots. [redacted] stated he was still on 24th Street, east of Folsom Street when he heard the gunshots.

While speaking to [redacted], a [redacted] walked out of [redacted]. The male, (R1) [redacted] stated he lived in apartment [redacted] at [redacted] [redacted] told me the following in summary.

[redacted] was in his apartment on his computer when he heard "Get on the ground" from outside his apartment. [redacted] heard a person making loud comments before hearing the gunshots. He stated he heard four to five gunshots. Approximately 23-30 seconds later, [redacted] stated he heard screeching tires which he believed were police officers arriving in the area.

Lt. Im directed me to remain in the area of Folsom Street at 25th Street for scene security. I remained on scene until approximately 0200 hours.

SFDPA - 0179-14 - 000051

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Lewin-Tankel, Elia C 4343			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	02:42	02:46	At Scene ☐ Other: MISS

On 02/26/2015 at 2147 hours, Ofc Silvestri #4357 and I were dispatched to 24th and Folsom on a report of person being chased with a knife. Enroute to 24th and Folsom we were notified that responding officers had been involved in an officer involved shooting.

We arrived on scene and I transported Ofc Tiffe #1312 to Mission Station, during which time Ofc Tiffe had no contact with any witnesses or officers involved in the incident.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Buckley, Nicholas C 1537			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	02:44	02:46	At Scene ☐ Other: MISS

On 02/26/2015 at 2147 hours, Officer Woodard #626 and I responded as back up to an Officer Involved Shooting near 24th Street and Folsom.

While on-scene I relieved Officer Mayo #2308 who was securing the suspects body and knife.

I was relieved by CSI and told to exit the crime scene while it was being processed.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Kovitprakornkul, Tasawan 2177			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	02:56	02:56	At Scene ☐ Other: MISS

On 02/27/2015 FTO Wilson #627 and I, Officer Kovitprakornkul #2177 were in full police uniform driving a marked patrol vehicle. At approximately 2147 hours, I heard Officers broadcast an officer involved shooting at 24th Street and Folsom Street. FTO Wilson and I responded to Folsom Street and 23rd Street to block off traffic and establish a perimeter. I blocked off Folsom Street at 23rd Street using yellow "Police Line Do Not Cross" tape.

FTO Wilson and I met with Sgt. Fong #1088 who advised us to canvass the west side of Folsom for witnesses. Throughout my canvass for witnesses I responded to the following addresses with the following results:

[redacted]
- [redacted] heard 4 shots, nothing seen
- no answer
- no answer
- [redacted] heard 3 shots, nothing seen
- no answer
- [redacted] heard 5-6 shots, nothing seen
- [redacted] heard 3 shots, nothing seen
- no answer
- no answer
- nothing heard or seen
- no answer
- no answer
- nothing heard or seen
- no answer
- no answer
- no answer
- no answer
- no answer
- no answer
- no answer
- no answer
- no answer
- no answer
- no answer
- no answer
- no answer
- [redacted] heard 4 shots, nothing seen
- no answer
- no answer
- no answer
- [redacted] heard 5-6 shots and yelling, nothing seen
- no answer
- no answer
- no answer

SFDPA - 0179-14 - 000054

[redacted] no answer
Church, closed
no answer
no answer
no answer
no answer
no answer
no answer
no answer

At 2351 hours I met with Officer Obidi #2328 who was in charge of the crime scene log. I took over the duty of maintaining the crime scene log at 2352 hours. At 0134, fire engine #7 arrived and washed down the area. I maintained the crime scene log until the crime scene was broken down at 0138 hours.

At 0144 hours FTO Wilson and I went to Mission Police Station where I gave the crime scene log to Officer Galligan #860.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Silvestri, John R 4357			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	02:49	03:06	At Scene ☐ Other: MISS

On 2/26/15 at approximately 2147 hrs I was responding to 24th and Folsom St regarding a suspect with a knife chasing another male. Prior to my arrival I was advised shots had been fired via pic radio.

While on scene I was advised the incident was an officer involved shooting. I was advised Ofc Reboli #1651 was an involved party. At approximately 2158 hrs I then escorted Ofc Reboli from the scene and drove him back to Mission Police Station in marked radio car BW051. At Mission Station Ofc Reboli was kept from speaking with any other witnesses and officers regarding details of the incident.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Buckley, Nicholas M 529			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	03:32	03:32	At Scene ☐ Other: MISS

On 02/26/2015 at approximately 2150 hrs, Officer Tsang #1518 responded the area of 24th Street and Folsom Street regarding an officer involved shooting.

Upon our arrival, I attempted to locate witnesses, victims, and surveillance cameras located between [redacted] Folsom Street and [redacted] Folsom Street. I did not locate any injured parties, nor any surveillance cameras. The following is a list of occupants who responded to the front door and provided a statement regarding the above mentioned incident:
[redacted] Folsom Street: ([redacted], [redacted], [redacted]). [redacted] was inside this location when she heard four rapid popping sounds. [redacted] looked out her front window and saw multiple police cars responding in front of her house.

[redacted] and [redacted] Folsom Street: No answer to the door.

[redacted] Folsom Street:
([redacted], [redacted], [redacted]) [redacted] was inside this location when she heard the sound of sirens and then heard four shots. [redacted] heard someone yelling, "Get down!"
([redacted], [redacted], [redacted]). [redacted] was inside this location when he heard the sound of sirens and then several loud firework sounds. [redacted] heard someone yell, "Get down."
([redacted], [redacted], [redacted]) [redacted] was inside this location and heard four loud gunshots and then heard someone yell, "Get down on the ground," two times. [redacted] saw multiple police units respond to the area.
([redacted], [redacted], [redacted]) [redacted] was inside this location when he heard the sound of screeching tires. [redacted] then heard four gunshots and someone yell, "Get on the ground!"

[redacted] Folsom Street:
([redacted], [redacted], [redacted]) [redacted] was inside this location and heard four rapid loud "booms."
([redacted], [redacted], [redacted]) [redacted] was asleep during the incident.
([redacted], [redacted], [redacted]) was asleep during the incident.

[redacted] and [redacted] Folsom Street: No answer to the door.

[redacted] Folsom Street:
([redacted], [redacted], [redacted]) [redacted] was inside this location and heard five rapid shots, followed by unintelligible commands given by an, "Authoritative voice."
([redacted], [redacted], [redacted]) [redacted] was inside this location when she heard three rapid shots (a short pause) and then two more shots.

SFDPA - 0179-14 - 000057

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Lockett, Donald L 2381			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	03:55	04:00	At Scene ☐ Other: MISS

On 2-26-2015 at 2144 hrs I was working as SFPD patrol unit 3D12E with my partner Ofc.Quema #2117. We responded to 24th St and Folsom St to assist with a dispatched call of a person with a knife. While en route to the call an officer advised on radio that shots had been fired. We responded Code 3 from 24th St & Dolores St and arrived on scene. I put up crime scene tape and was on a perimeter post at 24th and Treat St. I later responded to 24th St & Folsom St on another perimeter post assignment.

I also transported a witness named [redacted] to Homicide with my partner Ofc.Quema.

CONFIDENTIAL

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Cunnie, Michael D 181			[redacted]

Residence	Zip Code	Business Address / City if not San Francisco	Zip Code
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	03:50	04:00	At Scene ☐ Other: MISS

On 02/26/2015 at approximately 2151 hours FTO Roman #2373 and I, wearing SFPD uniforms and driving a marked patrol vehicle, responded to the intersection on 24th St and Folsom St regarding a call of shots fired.

Upon our arrival I was instructed by Sgt Fong #1088 to canvas the area, looking for potential witnesses.

I spoke with [redacted] (DOB: [redacted], [redacted]) who resides at [redacted] stated to me that he heard 3 to 4 loud noises, which he believed to be gun shots.

I spoke with [redacted] (DOB: [redacted], [redacted]) who resides at [redacted] stated to me that he heard 3 to 4 loud noises, which he believed to be gun shots.

I spoke with [redacted] (DOB: [redacted], [redacted]) who resides at [redacted] stated to me the following: [redacted] was inside her second story flat when she heard men arguing. She looked out of her window which faces Folsom St and witnessed a man exiting the gate at [redacted] on a silver bicycle and began to ride the bike south bound on the east sidewalk of Folsom St. [redacted] stated that she then heard a man screaming "Get down! Get down on the grass!"She then heard several loud noises which she believed to be gun shots.

[redacted] could not provide a further description of the man riding the bicycle. [redacted] could not recall at exactly what time she heard the gun shots. [redacted] stated that from the time she heard the men arguing to the time she heard the gunshots was only a few moments.

Standing on the sidewalk in front of his home at [redacted] Folsom St I encountered (RW4) [redacted], who stated to me the following: At approximately 2147 hours [redacted] was standing inside his second story flat when he heard someone yell "Get down! Get down!" and then heard 3 to 4 loud noises, which he believed to be gun shots. He looked out of his window, which faces Folsom St, and observed a Police Officer running south bound on Folsom St with a pistol drawn. He then observed someone performing CPR on another person who was lying in the street.

Upon instruction from Sgt Kelly #4205 of Night Investigations, Ofc Roman and I, transported [redacted] to The Hall of Justice in order to be interviewed by the Homicide Unit.

SFDPA - 0179-14 - 000060

Report Type: **Initial**

San Francisco Police Department
INCIDENT REPORT

150178555

Incident Report *Statement*

INCIDENT NO.

1	5	0	1	7	8	5	5	5

Name (Last,First,Middle)	DOB/Age	Residence Phone(Day/Night)	Business Phone (Day/Night)
Quema, Michelle M 2117			[redacted]
Residence	**Zip Code**	**Business Address / City if not San Francisco**	**Zip Code**
		[redacted]	

Date of Statement	Time Started	Time Completed	Location Where Statement Taken
02/27/15	04:00	04:19	At Scene ☐ Other: MISS

On the above listed date and time, Ofc. Lockett #2381 and I were in SFPD uniforms and in a marked SFPD patrol vehicle. We responded to the area of 24th St and Folsom on a call regarding a person being chased with a knife. While en route, I heard a police unit broadcast a "Code 33, shots fired."

Upon arrival, Ofc. Lockett and I began to set up crime scene tape at 24th and Folsom.

In front of [redacted] near the bus stop on the west side of Folsom, I made contact with (R/W5) [redacted] who stated to me that she witnessed the incident.

[redacted] told me that at approximately 2145 hours, she was waiting at the bus stop. An unknown [redacted] was running north bound on Folsom and approached [redacted] [redacted] told me that the unknown [redacted] stated to her, "There are two kids running this way and they're fighting with knives." [redacted] told the unknown [redacted] to call 911. The unknown [redacted] stated that he was already on the phone with 911. [redacted] then stepped into the roadway on Folsom St and looked towards 25th St to see what was happening.

[redacted] told me that she saw two male subjects, (V1) and (S1), running north bound on Folsom St on the east side of Folsom St. [redacted] described (V1) as a short male, approximately 16-20 years old, with a thin build, wearing a beanie cap, and a light colored shirt. [redacted] described (S1) as a taller male, approximately 16-20 years old, with a thin build, possibly wearing a hoodie.

[redacted] told me that she saw (V1) and (S1) running in circles around a parked truck on the east side of Folsom St. [redacted] stated that she saw both suspects "trying to stick each other." [redacted] saw that (V1) was backing away from (S1). [redacted] stated that she saw (S1) wrapping a t-shirt or jacket around his right arm or hand as he approached (V1). [redacted] stated that she then saw (S1) making stabbing motions at (V1).

[redacted] told me that the two suspects were yelling at each other but she could not hear what was said.

[redacted] told me shortly after, she saw the police had arrived. [redacted] heard the police yell at the suspects, "Put it down! Drop it! Drop it now!"

[redacted] told me that she saw one of the suspects start to flee on foot south bound on Folsom St. [redacted] was unsure which suspect was fleeing on foot. At that time, [redacted] heard approximately 4-5 gun shots. [redacted] then heard police units yell, "Get down! Get down now!" [redacted] told me that shortly after, more police units arrived on scene.

[redacted] told me that the unknown [redacted] who initially approached her and had informed her of the incident started running west bound on 24th St immediately after hearing the gun shots. [redacted] described the unknown [redacted] as a [redacted], approximately [redacted], with [redacted] wearing a [redacted].

[redacted] provided me with a written statement which I gave to Sgt. Canning #269 at 850 Bryant.

SFDPA - 0179-14 - 000061

With the approval of 3D113 Sgt. Montoya #1522, Ofc. Lockett and I then transported [redacted] to 850 Bryant to be interviewed by Homicide investigators.

CONFIDENTIAL

SAN FRANCISCO POLICE DEPARTMENT **USE OF FORCE LOG** Reporting Period: Beginning 2/16/15 (Mo. Day Yr.) Ending 2/28/15 (Mo Day. Yr.)

DATE	CASE NUMBER	OFFICER USING FORCE	REVIEWING SUPERVISOR	PHYSICAL CONTROL ✓	STRIKE BY FIST OBJECT ✓	CHEMICAL AGENT/MACE/O.C. ✓	TON/STRIKE R JAB ✓	ROTID STRAINT ✓	REARM ✓	SPECT INJURED	SPECT COMPLAINT INJURY	FICER INJURED RING USE OF PORTABLE FORCE	STATUS
[redacted]													
2-26-15	ISO 178555	OFFICER TIFFE #1312 OFFICER REBOLZ #1651	SGT. MONTOYA						✓	Yes No Unk	Yes No	Yes No	OIS
										Yes No Unk	Yes No	Yes No	
										Yes No Unk	Yes No	Yes No	
										Yes No Unk	Yes No	Yes No	
										Yes No Unk	Yes No	Yes No	

Capt. Daniel A. Perea #474 — COMMANDING OFFICER (SIGNATURE)

Co. D — UNIT

FORWARD ONE COPY TO: BUREAU HEADQUARTERS. FORWARD COPY OF LOG AND INCIDENT REPORTS TO COMMANDING OFFICER, M.C.D. AND TRAINING DIVISION.

1ST AND 15TH OF EACH MONTH

SFPD 128 (Rev. 3/05)

150573705 A 216 SHOTS FIRED 2800 BLK FOLSOM ST, SF

[02/26/2015]

21:44:10	DT20	[redacted]	CREATE	Location:24TH ST/FOLSOM ST, SF Type:222 DAREA:3D Area:455 TypeDesc:PERSON W/KNIFE LocDesc:<3100/ 2800> Priority:A Class:F:3PAT Agency:SP Map:A3
21:44:39	DT20	[redacted]	ENTRY	Map:A3 Comment:RP YELLED AT SOMEONE IN THE BACKGROUND "HE'S RUNNING W/A KNIFE OVER THERE"
21:44:39	DT20	[redacted]	ALI	E911Phone:[redacted]5 E911Address:[redacted] E911Subs:[redacted]4 E911Source:W911 [redacted]
21:44:39	CADAPP	TIB	PREMIS	Comment:PPR, FPR
21:45:06	DT10	[redacted]	SELECT	
21:45:07	DT17	[redacted]	MISCN	Comment:BC ON A11
21:45:07	DT20	[redacted]	INFO	Comment:HEADING DOWN FOLSOM TWDS 25TH ST... 222 CHASING ANOTHER MALE BOTH AROUND 5'5 WEARING BEANIES
21:45:15	DT10	[redacted]	NOTIFY	Notified:BROADCAST
21:45:37	DT10	[redacted]	DISPER	3D14E Sector/Stn:D4 Operator:[redacted] OperNames:SILVESTRI,JOHN #4357; LEWIN-TANKEL,ELIA #4343
21:45:37	DT10	[redacted]	DISPER	3D16D Operator:[redacted] OperNames:BUCKLEY,NICHOLAS #529; TSANG,DEXTER J #1518
21:45:37	DT10	[redacted]	PRIU	3D14E
21:45:42	K328	[redacted]	BACKER	3D12E Operator:[redacted] OperNames:LOCKETT,DONALD #2381; QUEMA,MICHELLE #2117
21:45:43	K019	[redacted]	BACKER	3D74 Operator:[redacted] OperNames:MAYO,MICHAEL #2308
21:45:51	K045	[redacted]	BACKER	3D14D Operator:[redacted] OperNames:ELLIS,DOMINIQUE M #2189; CABILLO,JOSHUA #1014
21:45:55	DT14	[redacted]	BACKER	3D13E Operator:[redacted] OperNames:WANG,JOSHUA #4359; POESPOWIDJOJO,BUDIMAN #4373
21:45:58	DT20	[redacted]	INFO	Comment:THEY POSS CAME OUT OF A HOUSE NEAR 2883 FOLSOM.... BOTH LMA YELLING IN SPANISH
21:46:03	K133	[redacted]	BACKER	3D13D Operator:[redacted] OperNames:GILMAN,DAVID #483; O'CONNOR,DENIS #4350
21:46:16	K156	[redacted]	BACKER	3D39 Operator:[redacted] OperNames:REBOLI,ERIC #1651; TIFFE,CRAIG #1312
21:46:43	DT20	[redacted]	INFO	Comment:KNIFE HAD APPROX 12" BLADE... BOTH PARTIES IN THEIR 30'S... THE 222 WAS MED BUILD, LIGHT JKT
21:47:14	K045	[redacted]	ONSCN	3D14D
21:47:45	DT14	[redacted]	PRMPT	3D14D Comment:Preempted and dispatched to call #150573715
21:47:49	DT20	[redacted]	CHANGE	Location:24TH ST/FOLSOM ST, SF->2800 BLK FOLSOM ST, SF Type:222->216 Name:ROBERT TypeDesc:PERSON W/KNIFE->SHOTS FIRED LocDesc:<3100/ 2800>->btwn 24TH ST and 25TH ST LocCross:btwn 24TH ST and 25TH ST Map:A3 Comment:PARTIES MAY BOTH BE ON THE EAST SIDE OF 2800-BLK FOLSOM... JUST HEARD ABOUT 4-5 CONSECUTIVE SHOTS WHILE CALLTAKKER ON THE LINE
21:47:49	CADAPP	TIB	NPREMS	Comment:(none)
21:48:02	K349	[redacted]	PRMPT	3D16D Comment:Preempted and dispatched to call #150573716
21:48:11	K319	[redacted]	BACKER	3C15C Location:2800 BLK FOLSOM ST, SF->24TH ST/FOLSOM ST, SF
21:48:57	DT20	[redacted]	INFO	[redacted] Comment:909 WILL BE HIDING AT [redacted]
21:48:59	DT20	[redacted]	NOMORE	
21:49:42	DT02	[redacted]7	INFO	Location:24TH ST/FOLSOM ST, SF->2800 BLK FOLSOM ST, SF Comment:ANOTHER CALL RP HEARD 5-6 SHOTS IAO ALABAMA / HEARD ONLY
21:49:45	DT20	[redacted]	MISCN	Comment:**********909 ROBERT AT GAUDALAJARA TAQUERIA 24TH/SHOTWELL, DID NOT SEE WHO FIRED THE SHOTS
21:49:48	DT02	[redacted]	INFO	Name:ROBERT->ANON
21:49:53	DT14	[redacted]	PRMPT	3D74 Comment:Preempted and dispatched to call #150573716
21:50:43	K166	[redacted]	ONSCN	3D13E
21:51:25	K319	[redacted]	CLEAR	3C15C Dispo:ND

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of original master file in the
Office of Custodian of Records
DO NOT DUPLICATE
Dept. of Emergency Management
City & County of San Francisco

SFDPA - 0179-14 - 000064

21:55:48	DT10	[redacted]	PRMPT	3D14E Comment:Preempted and dispatched to call #150573716
21:55:48	DT10	[redacted]	PRMPT	3D39 Comment:Preempted and dispatched to call #150573716
21:55:48	DT10	[redacted]	PRMPT	3D12E Comment:Preempted and dispatched to call #150573716
21:55:48	DT10	[redacted]	PRMPT	3D13D Comment:Preempted and dispatched to call #150573716
21:55:48	DT10	[redacted]	PRMPT	3D13E Comment:Preempted and dispatched to call #150573716
21:55:48	DT10	[redacted]	CLOSE	
22:03:05	DT14	[redacted]	RO	
22:03:19	DT10	[redacted]	SELECT	
22:03:24	DT10	[redacted]	XREF	Type:216->27D2G Agency:SP->SF
22:03:24	DT10	[redacted]	COMBIN	Service:P Event:#150573716 Type:27D2G->217 Agency:SF->SP
22:03:24	DT10	[redacted]	CLOSE	
22:03:26	DT17	[redacted]	MISCN	Comment:BC ON A11

CALL RECAP:

INITIATE:	21:44:10 02/26/2015	**CALL NUMBER:**	#3705
ENTRY:	21:44:39 02/26/2015	**CURRENT STATUS:**	MISCN
DISPATCH:	21:45:37 02/26/2015	**PRIMARY UNIT:**	3D14E
ON SCENE:	21:47:14 02/26/2015	**JURISDICTION:**	SP
CLOSE:	21:55:48 02/26/2015	**DISPOSITION:**	ND
ADDRESS:	2800 BLK FOLSOM ST, SF		
DAREA:	3D		
SECTOR:	D4	**TYPE:**	222 --> 216 SHOTS FIRED
RA:	455	**PRIORITY:**	A
FIRE:		**PRIOR HISTORY:**	Yes
CP:	ANON		
[redacted]DRESS:			
[redacted]NE:		**CAD TIMESTAMP:**	CADT 0226152155

OPERATOR ASSIGNMENTS:

DT20
CADAPP
DT10
DT17
K328
K019
K045
DT14
K133
K156
K349
K319
DT02
K166
[redacted]

SP150573715 A 216 SHOTS FIRED 24TH ST/FOLSOM ST, SF

[02/26/2015]

21:47:45	DT14	[redacted]	CREATE	Location:24TH ST/FOLSOM ST, SF Type:216 DAREA:3D Area:455 TypeDesc:SHOTS FIRED LocDesc:<3100/ 2800> Priority:A Response:F:3PAT Agency:SP Sector/Stn:D4 Map:A3
21:47:45	DT14	[redacted]	ENTRY	Map:A3
21:47:45	DT14	[redacted]	DISPOS	3D14D Location:24TH ST/FOLSOM ST, SF Operator[redacted] OperNames:ELLIS,DOMINIQUE M #2189; CABILLO,JOSHUA #1014
21:47:45	DT14	[redacted]	PRIU	3D14D
21:47:45	CADAPP	TIB	PREMIS	Comment:PPR, FPR
[redacted]47:53	DT10	[redacted]	PRMPT	3D14D Comment:Preempted and dispatched to call #150573716
21:47:53	DT10	[redacted]	HOLD	3D14D
21:48:03	DT10	[redacted]	SELECT	
21:48:05	DT10	[redacted]	COMBIN	Service:P Event:#150573716 Type:216->000

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48:05	DT10	[redacted]	CLOSE	

SP150573716 A 217 SHOOTING 24TH ST/FOLSOM ST, SF

[02/26/2015]

21:47:53	DT10	[redacted]	CREATE	Location:24TH ST/FOLSOM ST, SF Type:000 DAREA:3D Area:455 TypeDesc:MISC LocDesc:<3100/ 2800> Priority:C Response:F:3PAT Agency:SP Sector/Stn:D4 Map:A3
21:47:53	DT10	[redacted]	ENTRY	Map:A3
21:47:53	DT10	[redacted]	DISPOS	3D14D Location:24TH ST/FOLSOM ST, SF Operator:[redacted] OperNames:ELLIS,DOMINIQUE M #2189; CABILLO,JOSHUA #1014
21:47:53	DT10	[redacted]	PRIU	3D14D
21:47:53	CADAPP	TIB	PREMIS	Comment:PPR, FPR
21:48:02	K349	[redacted]	BACKER	3D16D Operator:[redacted] OperNames:BUCKLEY,NICHOLAS #529; TSANG,DEXTER J #1518
21:48:05	DT10	[redacted]	COMBIN	Service:P Event:#150573715 Type:000->216
21:48:23	DT10	[redacted]	ASSOC	Service:F Event:#150573717 Type:216->27D2G Agency:SP->SF
21:48:26	DT06	[redacted]	INFO	Location:24TH ST/FOLSOM ST, SF->FOLSOM ST/25TH ST, SF LocDesc:<3100/ 2800>-><2900/ 3200> Comment:RP SAYING PD 97 HEARD 5 SHOTS
21:48:26	DT06	[redacted]	ALI	E911Phone:[redacted] E911Address:[redacted] E911Subs:[redacted] 4 E911Source:W911 [redacted] Uncertainty:8677
21:48:30	DT14	[redacted]	MISCN	3D14D Comment:408 20YOM GSW TO CHEST, OFFICERS OK
21:48:35	DT10	[redacted]	MISCN	3D14D Comment:GSW TO THE CHEST OFFICERS ARE OK
21:48:43	DT14	[redacted]	BACKER	3D117 Location:FOLSOM ST/25TH ST, SF->24TH ST/FOLSOM ST, SF Type:27D2G->000 Operator:[redacted] OperNames:FONG,THOMAS #1088
21:48:55	DT10	[redacted]	COMBIN	Service:P Event:#150573718 Type:000->216S Agency:SF->SP
49:10	DT14	[redacted]	CHANGE	3D14D Type:216S->217 TypeDesc:MISC->SHOOTING Priority:C->A
49:11	DT10	[redacted]	MISCN	3D14D Comment:2883 FOLSOM
21:49:12	K038	[redacted]	BACKER	3C13D Operator:[redacted] OperNames:NAVARRO,SHAUN #1435; SETO,WINSON #2370
21:49:19	DT07	[redacted]	INFO	Location:24TH ST/FOLSOM ST, SF->FOLSOM ST/24TH ST, SF Type:217->216 Name:[redacted] Phone:([redacted] LocDesc:<2900/ 3200>-><2800/ 3100> RPCont?:NO 909 Comment:ANOTHER CALL: 4-6 SHOTS HEARD... HEARD A MALE YELLING AFTER THE SHOTS, NOTHING SEEN
21:49:19	DT07	[redacted]	ALI	E911Phone:[redacted] E911Address:[redacted] E911Subs:[redacted] 4 E911Source:W911 AliLatitude:-122.407200 AliLongitude:37.75274600 Confidence:100 Uncertainty:1709
21:49:21	DT10	[redacted]	MISCN	3D14D Comment:SHUT DOWN 25TH/FOLSOM
21:49:25	K086	[redacted]	BACKER	3D15D Location:FOLSOM ST/24TH ST, SF->24TH ST/FOLSOM ST, SF Type:216->217 Operator:[redacted] OperNames:LARNAUTI,PAUL R; MELLONE,MICHAEL #4249
21:49:26	DT14	[redacted]	MISCN	3D14D Comment:SHUT DOWN 25/FOLSOM, 1 MALE DOWN
21:49:37	DT14	[redacted]	MISCN	3D14D Comment:SHUT DOWN TWO BLOCKS IN BOTH DIRECTIONS
21:49:39	DT24	[redacted]	INFO	Location:24TH ST/FOLSOM ST, SF->25TH ST/FOLSOM ST, SF LocDesc:<2800/ 3100>-><3200/ 2900> Comment:5 SHOTS HEARD ONLY NOTHING SEEN
21:49:39	DT24	[redacted]	ALI	E911Phone:[redacted] E911Address:[redacted] E911Subs:[redacted] E911Source:W911 [redacted]
21:49:53	DT14	[redacted]	BACKER	3D74 Location:25TH ST/FOLSOM ST, SF->24TH ST/FOLSOM ST, SF Operator:[redacted] OperNames:MAYO,MICHAEL #2308
21:50:05	DT10	[redacted]	MISCN	3D74 Comment:REDERRING AID
21:50:15	DT14	[redacted]	BACKOS	3D113 Operator:[redacted] OperNames:MONTOYA,ANTHONY #1522
50:22	DT14	[redacted]	MISCN	3D74 Comment:98 TO 2863 FOLSOM
50:25	K086	[redacted]	ONSCN	3D15D
21:50:31	DT10	[redacted]	BACKOS	3D11D Operator:[redacted] OperNames:WOODARD,DONALD K #626; BUCKLEY,NICHOLAS #1537

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50:36	DT10	[redacted]	MISCN	3D11D Comment:SHUT DOWN 25TH/FOLSOM
50:39	DT14	[redacted]	MISCN	3D14D Comment:CRIME SCENE TAPE
21:50:42	DT10	[redacted]	BACKER	3X302 Operator:[redacted] OperNames:OSUNA,MARK #2141
21:50:53	DT10	[redacted]	OK	3D14D Comment:NO SUBJS OUTSTANDING
21:51:01	DT14	[redacted]	OK	3D14D Comment:NO SUBJS OUTSTANDING
21:51:08	DT10	[redacted]	MISCN	3D14D Comment:MAINTAIN C33 ON A4 ONLY
21:51:14	DT10	[redacted]	BACKER	3D118 Operator:[redacted] OperNames:PETUYA,MICHAEL #1712
21:51:34	DT14	[redacted]	BACKER	3D204 Operator:[redacted] OperNames:IM,MARK #2096
21:51:39	DT10	[redacted]	BACKER	3D12D Operator:[redacted] OperNames:LIN,ABIGAYLE #4345; TALKOFF,GISELLE #4298
21:51:44	DT14	[redacted]	MISCN	3D204 Comment:2 UNITS 904 MID BLOCK
21:51:47	K027	[redacted]	BACKER	3D16E Operator:[redacted] OperNames:CUNNIE,MICHAEL D #181; ROMAN,BAYARDO #2373
21:51:57	K038	[redacted]	ONSCN	3C13D
21:51:58	DT10	[redacted]	BACKOS	3C12D Operator:[redacted] OperNames:DANIELE,KEVIN #93; HARGREAVES,LOUIS #2321
21:52:05	DT10	[redacted]	BACKOS	3C11D Operator:[redacted] OperNames:ROSENBERG,JEFFREY #1511; ADAMS,KEVIN #4256
21:52:38	DT10	[redacted]	MISCN	3D14D Comment:408 97 COMING NB ON FOLSOM
21:52:44	DT14	[redacted]	MISCN	Comment:408 97 COMING NB FOLSOM
21:53:05	DT10	[redacted]	ONSCN	3X302
21:53:06	DT14	[redacted]	BACKOS	3D300
21:53:16	DT14	[redacted]	MISCN	3D15D Comment:ESTABLISH A CRIMESCENE LOG
21:53:26	DT14	[redacted]	BACKOS	3D15E Operator:[redacted] OperNames:WILSON,GLEN #627; KOVITPRAKORNKUL,TASAWAN #2177
21:53:33	DT10	[redacted]	MISCN	3D15E Comment:23RD/FOLSOM BLOCKING TRAFFIC
21:53:53	DT14	[redacted]	MISCN	3D15D Comment:RS2 T07 97
21:54:04	DT14	[redacted]	CLOS	3D15E Location:24TH ST/FOLSOM ST, SF->23RD ST/FOLSOM ST, SF LocDesc:<3200/ 2900>-><3100/ 2700>
54:12	DT10	[redacted]	CLOS	3D15E
21:54:25	DT10	[redacted]	MISCN	3D204 Comment:3D113 GOT PUBLIC SAFETY STATEMENT
21:54:26	DT14	[redacted]	MISCN	3D204 Comment:3D113 GOT PUBLIC SAFETY STATEMENT
21:54:55	DT10	[redacted]	CLOS	3D11D Location:23RD ST/FOLSOM ST, SF->25TH ST/FOLSOM ST, SF LocDesc:<3100/ 2700>-><3200/ 2900>
21:55:10	DT10	[redacted]	BACKOS	3C76 Operator:[redacted] OperNames:PASHBY,MATHEW #1575; MARTINEZ,EDDIEBERTO #4190
21:55:12	DT10	[redacted]	CLOS	3C76
21:55:32	DT14	[redacted]	BACKOS	3D92 Location:25TH ST/FOLSOM ST, SF->24TH ST/FOLSOM ST, SF Operator:[redacted] OperNames:GALLIGAN,CHRISTOPHER #860; COTA,MICHAEL Comment:ALL TRAFFIC SHUTDOWN
21:55:48	DT10	[redacted]	BACKOS	3D14E Location:24TH ST/FOLSOM ST, SF->25TH ST/FOLSOM ST, SF Operator:[redacted] OperNames:SILVESTRI,JOHN #4357; LEWIN-TANKEL,ELIA #4343
21:55:48	DT10	[redacted]	BACKOS	3D39 Operator:[redacted] OperNames:REBOLI,ERIC #1651; TIFFE,CRAIG #1312
21:55:48	DT10	[redacted]	BACKOS	3D12E Operator:[redacted] OperNames:LOCKETT,DONALD #2381; QUEMA,MICHELLE #2117
21:55:48	DT10	[redacted]	BACKOS	3D13D Operator:[redacted] OperNames:GILMAN,DAVID #483; O'CONNOR,DENIS #4350
21:55:48	DT10	[redacted]	BACKOS	3D13E Operator:[redacted] OperNames:WANG,JOSHUA #4359; POESPOWIDJOJO,BUDIMAN #4373
21:56:32	DT10	[redacted]	BACKER	3C14E Operator:[redacted] OperNames:GUERRERO,TOMAS BERNARD #1242; VALLE,CLAUDIA #4358
21:56:32	DT10	[redacted]	BACKER	3C13E Operator:[redacted] OperNames:SETO,WINSON #2370; MINIOZA,GLEN #2410; HILLARD,NICHOLAS #2353
21:57:20	DT09	[redacted]	MISCN	3D14D Comment:3I116 RESPONDING AS POA REP
57:23	DT09	[redacted]	BACKER	3I116 Location:25TH ST/FOLSOM ST, SF->24TH ST/FOLSOM ST, SF Operator:[redacted] OperNames:KATO,JODY #692
21:57:43	DT14	[redacted]	MISCN	3X302 Comment:UPDATE THE DOC
21:58:16	K098	[redacted]	MISCN	3D14E Comment:TRANSPORTING HALF OF 3D39 TO CO D

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58:24	K098	[redacted]	CHGLOC	3D14E Location:24TH ST/FOLSOM ST, SF->MISSION STATION LocDesc:<3200/ 2900>->at 630 VALENCIA ST, SF LocCross:btwn CLARION AL and SYCAMORE ST
21:58:51	DT14	[redacted]	CHGLOC	3D92 Location:MISSION STATION->24TH ST/SHOTWELL ST, SF LocDesc:at 630 VALENCIA ST, SF-><3150/ 1000> Comment:BLOCKING TRAFFICE
21:59:04	DT14	[redacted]	CHGLOC	3D92 Location:24TH ST/SHOTWELL ST, SF->24TH ST/FOLSOM ST, SF LocDesc:<3150/ 1000>-><3100/ 2800> Comment:TO DO A REPORT FOR THE 3D118
22:00:32	DT10	[redacted]	CLEAR	3C11D Dispo:HAN
22:00:38	DT10	[redacted]	BACKER	3C11D Location:24TH ST/FOLSOM ST, SF->25TH ST/FOLSOM ST, SF Operator:[redacted] OperNames:ROSENBERG,JEFFREY #1511; ADAMS,KEVIN #4256
22:01:20	DT10	[redacted]	BACKER	3D11E Operator[redacted] OperNames:HANSEN,GARED #2095; CORTEZ,MIGUEL #4262
22:03:24	DT10	[redacted]	COMBIN	Service:P[redacted]
22:04:10	K086	[redacted]	CHGLOC	3D15D Location:25TH ST/FOLSOM ST, SF->MISSION STATION LocDesc:<3100/ 2800>->at[redacted]
22:05:33	K098	[redacted]	ONSCN	3D14E
22:06:19	DT10	[redacted]	BACKOS	3C38N Location:MISSION STATION->25TH ST/FOLSOM ST, SF Type:216->217
22:06:19	DT10	[redacted]	BACKOS	3C38B
22:06:19	DT10	[redacted]	BACKOS	3C38L
22:06:19	DT10	[redacted]	BACKOS	3C38P
22:06:23	DT10	[redacted]	MISCN	3C38N Comment:CAMERAS AT[redacted]
22:07:00	DT14	[redacted]	MISCN	3D204 Comment:****KEEPING C33 ON A4****
22:07:17	DT14	[redacted]	CASE	Case#:P[redacted]3D92 Location:25TH ST/FOLSOM ST, SF->24TH ST/FOLSOM ST, SF Dispo:HAN LocDesc:at[redacted]SF->at 24TH ST/FOLSOM ST, SF
08:37	K086	[redacted]	ONSCN	3D15D
22:08:40	DT10	[redacted]	PRMPT	3C14E Comment:Preempted and dispatched to call #150573767
22:11:39	DT14	[redacted]	MISCN	3D204 Comment:***MEDIA CAN STAGE 24TH ST WEST OF FOLSOM***
22:12:04	DT10	[redacted]	PRMPT	3C13E Comment:Preempted and dispatched to call[redacted]
22:12:27	DT14	[redacted]	TRANSP	3D14D Location:24TH ST/FOLSOM ST, SF->MISSION STATION, SF LocDesc:at 24TH ST/FOLSOM ST, SF->[redacted] Comment:WITH VICTIM
22:13:04	DT14	[redacted]	MISCN	3C38P Comment:CONTACT MUNI, PER A 909 THERE WAS A BUS ON FOLSOM GOING FROM 24TH TO 25TH, BUS DRIVER STOPPED ASKED IF EVERYTHING OK AND KEPT GOING
22:14:03	DT14	[redacted]	MISCN	3D204 Comment:CERT TO CO D
22:16:18	DT14	[redacted]	MISCN	3C38P Comment:MUNI WILL CHECK FOR WHICH BUS AND CALL US BACK
22:16:53	DT14	[redacted]	MISCN	3C38N Comment:2850 TO 2892 FOLSOM KNOCKED AND TALKED
22:17:14	DT10	[redacted]	MISCN	3D14E Comment:****OFFICERS INVOLVED ARE AT MISSION STATION AND ARE SEPARATED****
22:17:35	DT14	[redacted]	MISCN	3D204 Comment:WENT ON ALL FOR CERT TO MISSION STATION
22:18:05	DT14	[redacted]	CHGLOC	3I116 Comment:PO REP
22:19:09	DT10	[redacted]	CMPLT	3D14D
22:19:12	DT14	[redacted]	ONSCN	3X302
22:19:55	K086	[redacted]	MISCN	3D15D Comment:OFC. ELLIS BROUGHT TO MISSION STATION SEQUESTERED AND WITH OFFICER TALKOFF
22:20:16	K086	[redacted]	CHGLOC	3D15D Location:MISSION STATION, SF->24TH ST/FOLSOM ST, SF LocDesc:at[redacted], SF-><3100/ 2800>
22:20:38	DT14	[redacted]	MISCN	3D113 Comment:ANYONE DOING CANVASSING, MAKE NOTE OF CAMERAS AND DIRECTION THEY ARE POINTING
22:21:13	DT14	[redacted]	BACKER	4T3B Location:24TH ST/FOLSOM ST, SF->MISSION STATION, SF Operator[redacted]OperNames:BRADFORD,BRENT #4199
21:13	DT14	[redacted]	BACKER	5S26
22:22:39	DT14	[redacted]	MISCN	3D118 Comment:3D12D @[redacted] WITH A WITNESS WRITING A STATEMENT

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22:57	DT14	[redacted]	CHGLOC	3D118 Location:MISSION STATION, [redacted], SF LocDesc:<3100/ 2800>->btwn 24TH ST and 25TH ST LocCross:btwn CLARION AL and SYCAMORE ST->btwn 24TH ST and 25TH ST
22:23:11	K177	[redacted]	ONSCN	3I116
22:23:14	DT14	[redacted]	CLOS	3D12D
22:24:40	DT14	[redacted]	BACKER	5A53C [redacted], SF->24TH ST/FOLSOM ST, SF Operator:A05885 OperNames:BANDVIK,MARTIN #479
22:25:02	DT14	[redacted]	MISCN	5A53C Comment:HAVE MISSION UNITS THAT R CANVASSING THE SOUTH SIDE 904 ME AT 2865 FOLSOM
22:26:03	DT14	[redacted]	CLOS	5A53C Location:24TH ST/FOLSOM ST, SF->[redacted]
22:27:27	DT14	[redacted]	MISCN	3D15D Comment:ADVISE MUNI, FOLSOM BETW 26TH AND 24TH SHUTDOWN
22:29:18	DT04	[redacted]	INFO	Location:2865 FOLSOM ST, SF->24TH ST/FOLSOM ST, SF Name[redacted]->MUNI 25 LocDesc:btwn 24TH ST and 25TH ST-><3100/ 2800> Comment:*** MUNI 25 NTFY'D AND WILL BE REROUTING ***
22:29:18	DT04	[redacted]	ALI	E911Phone[redacted] E911Address:[redacted] E911Subs:CCSF MUNICIPAL RAILWAY E911Source:PBXB
22:32:41	DT10	[redacted]	MISCN	3D204 Comment:DOC HAS BEEN NOTIFIED REGARDING CERT
22:33:04	DT14	[redacted]	MISCN	3X302 Comment:***COMMAND POST IS AT[redacted]*** 3X302 PH# 637 1026....OFFICER STAGING AT 24/FOLSOM
22:33:26	DT20	[redacted]	INFO	Name:MUNI 25->MUNI/#28 MARIO Comment:MUNI HAS BEEN RESEARCHING WHICH COACH MAY HAVE STOPPED OS... 4 POSS COACHES THAT WERE 97 BTWN 21:37-21:40... STILL TRYING TO REACH EACH OPERATOR TO DETERMINE IF THEY STOPPED ON THIS BLOCK OR SAID ANYTHING TO ANYONE ON SCENE.[1) RUN #246 ON 67-LINE #8527....2) RUN #258 ON 67-LINE #8522...3) RUN #734 12-LINE #8335...4) RUN #742 ON 12-LINE #8339]
34:28	DT14	[redacted]	MISCN	3D11D Comment:REPORT IS OPEN FOR UNITS
34:42	DT10	[redacted]	BACKOS	3D7E Location:24TH ST/FOLSOM ST, SF->25TH ST/FOLSOM ST, SF Operator[redacted] OperNames:GARCIA,MARCO #1788
22:34:57	DT14	[redacted]	MISCN	3D15D Comment:HAS THE CRIME LOG
22:36:41	DT14	[redacted]	MISCN	Comment:HAVE MUNI PULL THOSE COACHES OFF LINE FOR VIDEO RETRIEVAL
22:38:10	DT14	[redacted]	BACKER	5X110 Location:25TH ST/FOLSOM ST, SF->24TH ST/FOLSOM ST, SF Operator[redacted] OperNames:SULLIVAN,MICHAEL #2484
22:38:10	DT14	[redacted]	BACKER	5X102 Operator[redacted] OperNames:GORDON,PHILLIP #1913
22:42:10	DT10	[redacted]	BACKOS	3C30 Location:24TH ST/FOLSOM ST, SF->25TH ST/FOLSOM ST, SF Operator[redacted] OperNames:THOMAS,KYLE #1130; LEE,STANLEY #1627
22:42:21	DT10	[redacted]	CLOS	3C30 LocDesc:<3100/ 2800>-><3200/ 2900>
22:44:33	DT14	[redacted]	MISCN	5A53C Comment:MAKE SURE MUNI PULLS THOSE BUSES OFF LINE SO THEY DONT RECORD OVER THE VIDEO
22:46:19	DT14	[redacted]	CHGLOC	3C38B Comment:WITH THE ORIG 909
22:46:19	DT14	[redacted]	CHGLOC	3C38P Comment:WITH THE ORIG 909
22:46:51	DT10	[redacted]	MISCN	3D13D Comment:DID A 910 WALK THRU OF 24TH AND 23RD AT FOLSOM ...ALL CLEAR
22:47:38	K060	[redacted]	CLEAR	3C76 Dispo:HAN
22:47:57	K292	[redacted]	MISCN	3D7E Comment:REG mask: Query 1: LEVI\VLN\A\A\[redacted] Query 2: *QV/LICPL[redacted] Query 3: IA QV.CA0380100.LIC[redacted]F Query 4: IV 4 270LMF
48:01	DT14	[redacted]	MISCN	5A53C Comment:PER ANOTHER CB TO MARIO AT MUNI, IT TAKES OVER A MONTH BEFORE VIDEO GETS RECORDED OVER
22:51:08	DT14	[redacted]	MISCN	3X302 Comment:****1A125 1A23 RESPONDING TO THIS RUN****UNIT ID'S NOT TAKING IN SYSTEM

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51:09	DT17	[redacted]	BACKER	5H3
52:14	K094	[redacted]	CLEAR	3C30 Dispo:HAN
22:55:19	DT20	[redacted]	DISPOS	1A125
22:55:33	DT14	[redacted]	CHGLOC	3C13D Location:25TH ST/FOLSOM ST, SF->YORK ST/25TH ST, SF LocDesc:<3200/ 2900>-><1300/ 2900> Comment:7EKG630
22:55:39	DT20	[redacted]	DISPOS	1A23
22:55:41	DT14	[redacted]	MISCN	3C13D Plate:7EKG630 Comment:X
22:57:31	DT14	[redacted]	PRMPT	3C13D Comment:Preempted and dispatched to call #150573905
22:57:53	DT14	[redacted]	PRMPT	3C12D Comment:Preempted and dispatched to call #150573905
22:58:45	DT14	[redacted]	PRMPT	5A53C Comment:Preempted and dispatched to call #150573905
23:03:01	DT10	[redacted]	CLEAR	3D11E Dispo:HAN
23:10:12	DT14	[redacted]	MISCN	3X302 Comment:NON-ESSENTIAL PERSONNEL, NOT PROTECTING THE CRIME SCENE GO 10-8
23:10:25	DT14	[redacted]	MISCN	3X302 Comment:CONTACT ME FOR ETA
23:14:03	DT14	[redacted]	PRMPT	3D16E Comment:Preempted and dispatched to call #150573905
23:15:35	K086	[redacted]	MISCN	3D15D Comment:CRIME SCENE LOG GIVEN TO OFFICER OBIDI
23:15:40	K086	[redacted]	CLEAR	3D15D Dispo:ND
23:16:02	DT14	[redacted]	MISCN	3D13E Comment:ME IS 97
23:16:48	DT14	[redacted]	PRMPT	3D118 Comment:Preempted and dispatched to call #150573905
23:19:28	DT14	[redacted]	PRMPT	3D11D Comment:Preempted and dispatched to call #150573955
23:22:23	DT14	[redacted]	CLEAR	3X302
23:35:43	DT14	[redacted]	CLEAR	3C38L
23:38:40	DT14	[redacted]	CLEAR	3C38B Dispo:HAN
23:38:40	DT14	[redacted]	CLEAR	3C38P Dispo:HAN
23:39:16	DT14	[redacted]	MISCN	3D113 Comment:KEEP ALL WITNESSES SEPARATE WHILE TRANSPORTING TO THE HOJ
23:44:08	DT10	[redacted]	BACKOS	3D16E Location:YORK ST/25TH ST, SF->25TH ST/FOLSOM ST, SF Operator:[redacted] OperNames:CUNNIE,MICHAEL D #181; ROMAN,BAYARDO #2373
44:15	DT10	[redacted]	CHGLOC	3D16E Location:25TH ST/FOLSOM ST, SF->HALL OF JUSTICE, SF LocDesc:<1300/ 2900>->at 850 BRYANT ST, SF LocCross:btwn 24TH ST and 25TH ST->btwn BOARDMAN PL and GILBERT ST Comment:W/ONE
23:46:12	DT10	[redacted]	CHGLOC	3D13E Comment:W/ONE WITNESS
23:47:42	K177	[redacted]	CLEAR	3I116 Dispo:HAN
23:50:10	DT10	[redacted]	CHGLOC	3D12D Location:HALL OF JUSTICE, SF->850 BRYANT ST, SF LocDesc:at 850 BRYANT ST, SF->btwn BOARDMAN PL and GILBERT ST
23:54:37	K166	[redacted]	ONSCN	3D13E
23:56:12	DT10	[redacted]	TRANSP	3D12E Location:850 BRYANT ST, SF->HALL OF JUSTICE, SF LocDesc:btwn BOARDMAN PL and GILBERT ST->at 850 BRYANT ST, SF Mileage:0.0 Comment:W/AN X
23:56:27	K328	[redacted]	MISCN	3D12E Comment:SFPDMDCCMDLINE mask: Query 1: [redacted] Query 2: [redacted] Query 3: [redacted] Query 4: [redacted] Query 5: [redacted]
23:59:41	DT10	[redacted]	ONSCN	3D12D
[02/27/2015]				
00:05:01	DT10	[redacted]	CMPLT	3D12E Mileage:1.9
05:40	DT10	[redacted]	CHGLOC	3D14D Comment:W/VICTIM
11:44	K045	[redacted]	ONSCN	3D14D
00:52:11	SP03	[redacted]	BACKER	4T103 Location:HALL OF JUSTICE, SF->24TH ST/FOLSOM ST, SF Operator:[redacted] OperNames:GARDEN,JASON #404

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52:11	SP03	[redacted]	BACKER	4T3F Operator:[redacted] OperNames:WILSON,AUSTIN #20; SAW,TERENCE #622
00:52:19	SP03	[redacted]	ONSCN	4T3F
00:52:19	SP03	[redacted]	ONSCN	4T103
00:52:39	SP03	[redacted]	MISCN	4T103 Comment:UNIT ADVISED 4T3F AND 4T103 RESPONDED TO THIS CALL AND WATNED TO BE ADDED TO THE HISTORY
00:58:43	DT10	[redacted]	CLEAR	3C38N
01:03:52	DT10	[redacted]	CLEAR	3C11D Dispo:HAN Comment:7E
01:12:30	DT10	[redacted]	CHGLOC	3D92 Location:24TH ST/FOLSOM ST, SF->MISSION STATION, SF LocDesc:at 850 BRYANT ST, SF->at 630 VALENCIA ST, SF LocCross:btwn BOARDMAN PL and GILBERT ST->btwn CLARION AL and SYCAMORE ST Comment:FU
01:12:31	DT10	[redacted]	ONSCN	3D92
01:12:58	DT10	[redacted]	MISCN	3D117 Comment:STILL HERE
01:13:05	DT10	[redacted]	CLEAR	3D204 Dispo:HAN
01:13:15	DT14	[redacted]	ONSCN	3D117
01:13:37	DT10	[redacted]	MISCN	3D13D Comment:STILL HERE
01:13:56	DT10	[redacted]	MISCN	3D15E Comment:STILL HERE
01:14:13	DT10	[redacted]	ONSCN	3D16D
01:14:16	DT14	[redacted]	ONSCN	3D16D
01:14:17	DT10	[redacted]	MISCN	3D16D Comment:STILL HERE
01:24:07	DT10	[redacted]	CLEAR	3D113 Dispo:HAN
01:24:07	DT10	[redacted]	CLEAR	3D300 Dispo:HAN
01:24:19	DT10	[redacted]	CLEAR	3D7E Dispo:HAN
01:25:36	DT14	[redacted]	PRMPT	3D74 Comment:Preempted and dispatched to call #150580157
01:26:52	DT14	[redacted]	ASSOC	Service:F Event:#[redacted] Type:217->E Agency:SP->SF Comment:NEED WASHDOWN
01:30:21	DT10	[redacted]	MISCN	3D92 Comment:FIRE CAD 73717
38:46	DT10	[redacted]	CLEAR	4T3B Type:E->217 Dispo:HAN
38:56	DT14	[redacted]	MISCN	3D15E Comment:BREAKNG DOWN CRIME SCENE
01:44:36	DT10	[redacted]	CHGLOC	3D15E Comment:FU
01:47:48	DT10	[redacted]	BACKER	4M52 Location:MISSION STATION, SF->25TH ST/FOLSOM ST, SF
01:48:02	DT10	[redacted]	CLEAR	3D39 Dispo:HAN
01:53:11	DT10	[redacted]	CHGLOC	3D13E Location:25TH ST/FOLSOM ST, SF->2883 FOLSOM ST, SF LocDesc:at 630 VALENCIA ST, SF->btwn 24TH ST and 25TH ST LocCross:btwn CLARION AL and SYCAMORE ST->btwn 24TH ST and 25TH ST Comment:TRANSPORTING 1
02:00:17	DT10	[redacted]	CLEAR	1A23 Dispo:HAN
02:00:17	DT10	[redacted]	CLEAR	1A125 Dispo:HAN
02:01:57	DT10	[redacted]	PRMPT	3D13E Comment:Preempted and dispatched to call #150580220
02:02:15	DT14	[redacted]	CLEAR	3D15E Dispo:HAN
02:17:55	K085	[redacted]	MISCN	3D12D Comment:SFPDMDCCMDLINE mask: Query 1: [redacted] Query 2: [redacted] Query 3: [redacted] Query 4: [redacted] [redacted]
02:22:02	DT10	[redacted]	MISCN	Comment:SWING WATCH UNITS BEING HELD OVER
02:34:31	DT10	[redacted]	CLEAR	3D12D Dispo:HAN
02:55:12	DT10	[redacted]	CLEAR	5H3 Dispo:HAN
03:04:15	DT10	[redacted]	CHGLOC	3D16E Location:2883 FOLSOM ST, SF->MISSION STATION, SF LocDesc:btwn 24TH ST and 25TH ST->at 630 VALENCIA ST, SF LocCross:btwn 24TH ST and 25TH ST->btwn CLARION AL and SYCAMORE ST Comment:FU
04:22	DT10	[redacted]	ONSCN	3D16E
05:35	DT10	[redacted]	CLEAR	4T103 Dispo:HAN
03:10:04	DT10	[redacted]	MISCN	Comment:SWING WATCH UNITS STILL WORKING
03:10:27	DT14	[redacted]	CLEAR	3D14E

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[redacted]31:54	CADAPP	TIB	ASSOCX	
[redacted]34:00	DT10	[redacted]	TRANSP	3D12E Location:MISSION STATION, SF-> [redacted], SF LocDesc:at [redacted], SF->btwn [redacted] and [redacted] LocCross:btwn [redacted] and [redacted] ->btwn [redacted] and [redacted] Mileage:0.0 Comment:COURTESY RIDE W/ WITNESS X
03:39:14	DT10	[redacted]	CMPLT	3D12E Mileage:3.5
04:31:03	K027	[redacted]	CLEAR	3D16E Dispo:HAN
05:16:29	DT10	[redacted]	CLEAR	3D92
05:17:10	DT10	[redacted]	CLEAR	4M52
05:17:20	DT10	[redacted]	CLEAR	4T3F
05:51:04	DT14	[redacted]	PRMPT	3D12E Comment:Preempted and dispatched to call #150580458
06:05:29	DT10	[redacted]	CLEAR	5S26
06:21:59	DT10	[redacted]	CLEAR	5X102
06:22:04	DT10	[redacted]	CLEAR	5X110
06:22:13	DT10	[redacted]	CLEAR	3D117
06:24:04	DT14	[redacted]	CLEAR	3D13D Dispo:REP
06:24:23	DT14	[redacted]	CLEAR	3D16D Dispo:REP
07:25:01	DT10	[redacted]	CLEAR	3D14D
07:25:01	DT10	[redacted]	CLEAR	
07:25:01	DT10	[redacted]	CLOSE	

CALL RECAP:

INITIATE:	21:47:53 02/26/2015	**CALL NUMBER:**	#3716
ENTRY:	21:47:53 02/26/2015	**CURRENT STATUS:**	CLOSE
DISPATCH:	21:47:53 02/26/2015	**PRIMARY UNIT:**	3D14D
ON SCENE:	21:47:53 02/26/2015	**JURISDICTION:**	SP
[redacted]SE:	07:25:01 02/27/2015	**DISPOSITION:**	REP
[redacted]DRESS:	24TH ST/FOLSOM ST, SF		
DAREA:	3D	**REPORT NUMBER:**	PD150178555
SECTOR:	D4	**TYPE:**	000 --> 217 SHOOTING
RA:	455	**PRIORITY:**	A
FIRE:		**PRIOR HISTORY:**	Yes
CP:	MUNI/#28 MARIO		
ADDRESS:			
PHONE:		**CAD TIMESTAMP:**	CADT 0227150725

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City & County of San Francisco

ERATOR ASSIGNMENTS:

DT10
CADAPP
K349
DT06
DT14
K038
DT07
K086
DT24
K027
DT09
K098
K177
DT04
DT20
K060
K292
DT17
K094
DT10
K166
K328
K045
SP03
DT10
AS OF 01:03:52: DT10
DT14
DT14
DT14
K085
DT10
K027
DT10
DT14
DT14
DT10

SP150573718 A 216S SHOT SPOTTER 2856 FOLSOM ST, SF

[02/26/2015]

21:48:07	SP04		CREATE	Location:2856 FOLSOM ST, SF Type:216S DAREA:3D Area:455 TypeDesc:SHOT SPOTTER LocDesc:btwn 24TH ST and 25TH ST LocCross:btwn 24TH ST and 25TH ST Priority:A Class:F:3PAT Agency:SP Map:A3
21:48:30	SP04		ENTRY	Map:A3 Comment:5 ROUNDS PER SHOTSPOTTER
21:48:30			SELECT	
21:48:30	CADAPP	TIB	NPREMS	Comment:(none)
21:48:33	SP04		NOMORE	
21:48:53	DT17		MISCN	Comment:BC ON A11
21:48:55	DT10		XREF	Type:216S->27D2G Agency:SP->SF
21:48:55	DT10		COMBIN	Service:P Event:#150573716 Type:27D2G->000 Agency:SF->SP
21:48:55	DT10		CLOSE	

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SFDPA - 0179-14 - 000073

Critical Incidents - Effects on Human Behavior

Definitions

Critical incident: An event which is outside the NORMAL human experience.
Examples: shootings, officer injury, gun take-a-ways, child deaths, mass homicides, officer suicide, etc.

Post Traumatic Stress: NORMAL REACTION to an ABNORMAL SITUATION.
Examples: Normal physical ailments as well as normal emotional responses, such as anger, helplessness, and fear.

It is often helpful to understand the normal physiological responses (time distortion, altered visual and auditory perceptions) that occur during and immediately after the event.

The purpose of these pages is to advise members of the normal reactions to a critical incident. Not all individuals experience an event the same way. Some individuals exhibit some of the physical symptoms and some individuals experience some of the physiological symptoms. Not all individuals experience all of the symptoms. These pages will address any and all of the responses as normal.

It is the intent of SFPD's Critical Incident Response Team (CIRT) to offer information and support to those members involved in critical incidents.

Behavioral Science Unit (BSU) 837-0875
Employee Assistance Unit 837-0875
Critical Incident Stress Debriefing Team, on-call pager 201-7335

You can also talk to any SFPD Peer Support Member or Critical Incident Response Team Member.

If symptoms persist, contact the Behavioral Science Unit for a referral to one of our Police Psychologists or a professional through your own health plan. Members, their spouses/significant others, and children are covered for outpatient services through their health plan by United Behavioral Health (UBH). Your benefits give you easy access to professional, confidential, help, whether you are facing stress on the job or difficult personal concerns, such as family problems or depression.

Phone UBH, 24 hrs/day at (800) 888-2998 for assistance

All referrals, whether through UBH or through the Behavioral Science Unit, are confidential

SFDPA - 0179-14 - 000074

SAN FRANCISCO POLICE DEPARTMENT

FIELD OPERATIONS BUREAU GENERAL ORDER

ORDER NO. 04-04
October 15, 2004

FOB COMMAND STAFF NOTIFICATIONS

I. PURPOSE

The purpose of this order is to formalize the FOB Command Staff notifications.

II. POLICY

In addition to the required notifications as per Department General Order 8.01, Field Operations Bureau Command Staff shall be notified in the following situations:

1. Whenever an officer is injured, on or off duty, and requires medical attention at MEH or any other hospital
2. Whenever an officer discharges his/her firearm, whether on or off duty
3. Whenever an officer experiences a death in his/her family
4. All homicides
5. All shootings
6. Any serious gang incident
7. Any incidents involving significant bystander response to police action
8. Whenever a supervisory officer feels an incident is of such consequence that it merits notification

Notifications shall be made to Field Operations Bureau during business hours at 415-553-1527. After normal business hours, in addition to notifying Operations Center, contact the Command Staff directly using the contact numbers as listed in the Command Staff directory, to ensure that the proper notifications have been made.

By Order of

GREGORY P. SUHR
Deputy Chief of Police
Field Operations Bureau

CRIME SCENE LOG

I. POLICY

A. **OFFICERS' RESPONSIBILITIES. Once it has been determined that a crime scene must be protected, the officer first entering the scene shall initiate a Crime Scene Log (SFPD 28). The log shall be maintained until all personnel have left and containment ends.**

B. **WHEN. The log shall be used at:**

1. **All homicide scenes.**
2. **All scenes of an officer-involved shooting**
3. **Any crime scene or non-crime scene (e.g., explosions, major fires, accidents) that, in the opinion of the investigating officer or his/her superior, requires isolation for the purpose of investigation.**

C. **ACCESS, CONTROL AND IDENTIFICATION. Access to the crime scene shall be limited to persons performing specific investigative or emergency functions. Everyone entering the crime scene or known to have entered the crime scene shall be identified on the log.**

D. **ROUTING AND HANDLING. After the crime scene has been secured, the log should be given to the assigned inspector or attached to the incident report.**

References

DGO 6.05, Death Cases
DGO. 8.01, Critical Incident Notification
DGO. 6.02, Physical Evidence
DGO. 6.15, Property Processing
Event Management Manual (SFPD)

SFDPA - 0179-14 - 000076

DEPARTMENT BULLETIN

B
15-012
01/23/15

Crime Scene Management

Members are reminded of Department General Order 6.01 section I.C. which states, "Access to the crime scene shall be limited to persons performing specific investigative or emergency functions." The senior ranking member at a crime scene is responsible for enforcing this policy and shall not allow personnel without a specific investigative or emergency function to either enter or remain in a crime scene when their presence is not required (e.g., the scene is deemed secure).

The senior ranking member in patrol shall relinquish command of a crime scene upon arrival and briefing of the senior ranking member assigned to Investigations (e.g., Station Investigations Team, Homicide, Gang Task Force, Night Investigation Unit, SVU, etc.). Patrol members shall serve as a resource to the Investigators in charge. The senior ranking member assigned to Investigations, who has taken charge of a crime scene, is responsible for ensuring that personnel without a specific investigative or emergency function do not enter into or remain at a crime scene.

GREGORY P. SUHR
Chief of Police

DEPARTMENT BULLETIN

A
13-029
02/13/13

DEFINITION CHANGES RELATED TO DGOs 3.10 and 8.11
(Supersedes Department Bulletin 12-271)

The definitions of Officer-Involved Shootings (OIS) and Officer-Involved Discharges (OID) in Department General Orders (DGO) 3.10 and 8.11 are amended as follows:

OFFICER-INVOLVED SHOOTING. An officer-involved shooting is any of the following:

1. An officer's intentional discharge of a firearm at a person or an object; or
2. An officer's unintentional discharge that results in the physical injury or death of a person.

   This OIS definition does not include discharges at an approved range that do not result in the physical injury or death of a person or discharges during lawful recreational activity that do not result in the physical injury or death of a person.

OFFICER-INVOLVED DISCHARGE. An officer-involved discharge is any of the following:

1. An officer's unintentional discharge that does not cause physical injury or death to a person;
2. An officer's intentional discharge to signal for help; or
3. An officer's intentional discharge to kill a dangerous animal or to remove an animal from further suffering.

These changes will be incorporated into forthcoming revisions of DGOs 3.10 and 8.11 and related general orders, department bulletins, bureau general orders, manuals, and roll call training bulletins.

GREGORY P. SUHR
Chief of Police

DEPARTMENT BULLETIN

A
14-064
03/06/14

Firearm Discharge Review Board:
Addition of Commanding Officer of the Training Division as an Advisory Member of the Firearm Discharge Review Board
(Amends portions of DGO 3.10)

Officer Involved Shootings (OIS) are low frequency, high risk events that dramatically impact the involved members and the Department.

As established in Department General Order 3.10, *Firearm Discharge Review Board,* the criminal and investigative findings of OIS investigations are presented for executive review to the Firearm Discharge Review Board. DGO 3.10, Section I.C.1, identifies the composition of the FDRB, specifying specific attendees as non-voting Advisory board members.

Because every OIS presents an opportunity to evaluate and learn, the Commanding Officer of the Training Division shall be added to the members comprising the FDRB as an advisory member.

GREGORY P. SUHR
Chief of Police

DEPARTMENT BULLETIN

14-083
03/19/14

Position Opening: Court Liaison/Legal Division Sergeant

Sergeant general duties include:

- Supervise Legal Division and Court Liaison Unit
- Act as Commanding Officer of the Legal Division in Lieutenant's absence
- Respond to Officer Involved Shootings as representative of the Legal Division when Lieutenant is not available to respond
- Attend Weapons Discharge review board meetings as representative of the Legal Division when Lieutenant is not available to respond
- Attend Weapons Retention Board meetings as representative of the Legal Division when Lieutenant is not available to respond
- Attend Uniform and Equipment Safety board meetings as representative of the Legal Division
- Attend pre-trial mediation settlement conferences
- Attend Civil Suits regarding the Police Department
- Attend Brady Meetings as a representative of the Legal Division when Lieutenant is not available to respond
- Act as liaison between the City Attorney's Office and the Police Department
- Interact with public on wide variety of public records and information requests

This assignment requires an eight hour workday, 0900 to 1700 hours, Monday through Friday with start times subject to change from time to time depending on the needs of the Department. This assignment will be a two year commitment.

Minimum Qualifications:

- Must hold the rank of Q50, Q51, or Q52
- Excellent written and verbal communication skills
- Excellent organizational and time management skills
- Positive role model, as reflected by supervisory recommendations and personnel history

Applicants for this assignment must be able to perform the essential job functions of a sworn member with or without reasonable accommodation. Contact the Department ADA Coordinator, Penny Si, at (415) 553-1343 with any questions regarding the essential job functions of sworn members as they relate to reasonable accommodations.

To apply, photocopy and complete the application on the back of this bulletin and forward it through the chain of command to Lt. Chris Woon, Legal Division. The selection process will consist of a review of written applications and résumés, an oral interview panel, a review of disciplinary history, and recommendations from past and present supervisors.

GREGORY P. SUHR
Chief of Police

DEPARTMENT BULLETIN

B
14-150
05/29/14

Response to Video Recovery Request

Members of **Crime Scene Investigations / Multi-Media Evidence Unit (CSI/MEU)** are available and will respond to recover video evidence for major crimes, critical incidents and major events which include but are not limited to Homicides, Officer Involved Shootings, Fatal Hit and Runs. The MEU is available to recover video Monday through Friday during normal business hours. The CSI/MEU phone number is 553-1164.

In addition to the CSI/MEU members, the department has a cadre of **Video Retrieval Forensic Team (VRFT)** members. These members are sworn officers who have attended a two day video recovery course and are certified in retrieving video evidence. These members are deployed throughout the department and are assigned to district stations to handle video retrievals for cases assigned to a Station Investigative Team (SIT). These members have access to tools (Video Kit) and possess knowledge and skills to recover video evidence.

The video retrieval trained members are identified in HRMS and a report identifying these on-duty members can be produced by going to SFPD Scheduling, Reports, Special Skills Working **(VRFT)**. VRFT can respond city wide to assist in the collection of video evidence.

In all cases, officers shall canvass the immediate crime area as well as the ingress and egress routes for video cameras and systems. This canvassing will assist in the video retrieval process. Canvassing forms as well as other video retrieval related worksheets and forms are available in the Recovered Video evidence folder. Officers shall note in the incident report the findings of the canvassing including who conducted the canvassing and whether or not cameras/videos were located.

Members requiring video clarification of any recovered digital video evidence must submit the **SFPD 64a** request form to the Multi-media Evidence Unit (MEU), HOJ, Room 414.

GREGORY P. SUHR
Chief of Police

INVESTIGATION OF OFFICER INVOLVED SHOOTINGS AND DISCHARGES

This order outlines the rules and procedures to be followed in the conduct of all officer-involved shooting and discharge investigations.

I. POLICY

It is the policy of the San Francisco Police Department to respond immediately and conduct a timely and complete investigation of all officer-involved shootings.

II. PROCEDURES

A. DEFINITIONS:

- Officer-involved shooting. An officer's discharge of a firearm that results in the physical injury or death of a person, even if it is an accidental discharge.

- Officer-involved discharge. An officer's discharge of a firearm that does not cause injury or death to a person. Shooting at, injuring, or killing animals also falls into this category, including accidental discharge without injury.

B. INVESTIGATION PROTOCOL: Officer-involved shootings that result in injury or death are investigated in two distinctly separate venues:

1. Criminal Investigations. Investigations to determine if there was criminal conduct on the part of the involved officer(s) are conducted separately by the Homicide Detail and the Office of the District Attorney.

   Officer-involved shootings occurring on San Francisco International Airport property or in San Mateo County shall be investigated by the San Mateo County Sheriff's Office in conjunction with the San Mateo County District Attorney's Office.

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2. Administrative Investigation. Investigations to determine if the officer-involved shooting was within Department policy are conducted separately by the Management Control Division and by the Office of Citizen Complaints if and when initiated by a citizen complaint.

   If the officer-involved shooting occurs on San Francisco International Airport property or on its surrounding areas, the Management Control Division shall contact the San Mateo County Sheriff's investigators and the San Mateo County District Attorney's Office investigators responsible for the criminal investigation and request copies of any reports those agencies have made that are relevant to the officer-involved shooting.

C. OFFICER-INVOLVED SHOOTINGS OCCURRING WITHIN THE CITY AND COUNTY OF SAN FRANCISCO. As soon as practical after an officer-involved shooting occurring within the City and County of San Francisco, the following notifications shall be made:

1. If practical, the member(s) involved shall notify Emergency Communications Division (ECD), and his/her immediate supervisor, or the platoon commander of the district in which the shooting took place.

2. ECD shall immediately notify the Field Operations Bureau Headquarters (Operations Center after normal business hours).

3. The Field Operations Bureau or the Operations Center shall make the following notifications:

   a. The on-call Homicide Inspectors
   b. The Crisis Incident Response Team (See DGO 8.04, Crisis Incident Response Team)
   c. Management Control Division
   d. District Attorney's Office
   e. The Commanding Officer of the member(s) involved
   f. Chair of the Firearm Discharge Review Board
   g. Office of Citizen Complaints
   h. San Francisco Police Department Command Staff
   i. Legal Division
   j. Captain of Risk Management
   k. Secretary of the Police Commission

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D. OFFICER INVOLVED DISCHARGES. In cases where injury or death has not occurred, the Commanding Officer of the member involved is responsible for conducting a thorough shooting investigation, including accidental discharges. The Commanding Officer may delegate this investigation to another Commissioned Officer. The Commanding Officer, however, shall be responsible for the proper conduct of the investigation, and the appropriate findings and recommendation as documented in an investigative summary. The Commanding Officer's Bureau Chief shall set an appropriate due date for this investigation. However, this investigation shall not exceed 45 days. Officer involved discharges require the following notifications:

1. If practical, the member(s) involved shall contact the platoon commander of the district in which the discharge occurred.

2. The platoon commander shall contact the officer's Commanding Officer.

3. If outside San Francisco, as soon as practical, the officer shall contact that jurisdiction's Police or Sheriff's Department requesting that entity contact the San Francisco Police Department.

4. An officer who discharges a firearm in an Officer-Involved Discharge shall be assigned to his or her respective Bureau Headquarters. The officer shall not return to regular assignment for a minimum of 5 days or unless, upon recommendation of the member's Commanding Officer with the approval of his or her respective Bureau Chief, the Chief of Police determines the member may return to his/her assignment.

E. OFFICER-INVOLVED SHOOTINGS OR DISCHARGES OCCURRING OUTSIDE THE CITY AND COUNTY OF SAN FRANCISCO. If a member discharges a firearm outside the City and County of San Francisco (except at an approved range or during lawful recreational activities) either while on duty or off duty, he/she shall follow these procedures:

1. Absent exigent circumstances, remain at the scene of the discharge and notify the law enforcement agency.

2. Immediately contact the on duty supervisor in your unit or detail.

3. As soon as practical, the member shall contact the senior ranking member on duty in the Bureau to which he/she is assigned, or the Operations

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Center after normal business hours, and report the incident. The senior-ranking member in the Bureau who is notified or the staff at the Operations Center shall notify the on-duty supervisor of the involved member. If the member's unit is closed, the notification shall be made to the Commanding Officer or Officer-in-Charge.

F. SCENE. The member who has discharged his/her weapon in an officer involved shooting should limit his/her investigation and activity to the following:

1. When officer safety permits: de-cock, holster, and strap in his/her firearm. He/she should not reload the weapon, or remove the magazine to examine its contents. Thereafter, he/she should not remove the weapon from the holster until directed to do so by the Homicide Detail. In cases involving shotguns and/or long rifles the weapon shall be placed on "safe" and isolated in a secure location.

   a. Nothing in this order shall preclude a member from taking reasonable actions to provide/ensure officer and/or public safety.

2. As soon as practical, seek medical assistance/ treatment for injured persons.

3. As soon as practical, protect the crime scene and preserve all evidence. Prior to the arrival of the homicide detail investigators as provided under II.F.5., no person(s) should be permitted to enter the scene except to perform emergency medical assistance or assist in the preservation of the scene and evidence contained therein.

4. As soon as practical, attempt to obtain the name and address of any witness who may not remain at the scene.

5. When an officer-involved shooting occurs within the City and County of San Francisco, the crime scene(s) shall be under the control of the Homicide Detail upon the arrival of their investigators. No persons shall be permitted to enter the crime scene without the approval of the Homicide Inspector assigned the investigation or the Homicide OIC.

6. Nothing in this order shall prohibit a member from taking reasonable actions to ensure his/her safety or the safety of another person.

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G. INVOLVED OFFICERS. The following actions will be taken in all cases of officer-involved shootings (resulting in injury or death):

1. All members shall be afforded all substantive and procedural rights and remedies as provided by applicable law, including without limitation thereto the Public Safety Officers' Bill of Rights.

2. When a supervisor arrives on the scene, the supervisor shall have the involved member(s) escorted from the scene. If more than one member is involved in the discharging of a firearm, absent exigent circumstances, the members shall be separated and will be kept separate from one another, and shall not discuss the incident with each other prior to being interviewed by the Homicide Detail Inspectors. If possible, the supervisor shall contact the investigator from the Homicide Detail and ascertain if the involved member is to be taken to the Homicide Detail, the Investigations Bureau, or the involved member's Station or Detail. In all circumstances the member shall be taken to a department facility.

3. Members of the department's C.I.R.T. program may assist the member(s) involved prior to their interview with investigators. However, they shall not discuss the facts or details of the shooting with the member.

4. Officers who discharge a firearm in an officer-involved shooting will be reassigned to his or her respective Bureau Headquarters. Officers shall not return to regular assignment for a minimum of 10 calendar days. This reassignment is administrative only and in no way shall be considered punitive.

   Within 5 business days of an officer-involved shooting, the Chief of Police shall convene a panel to discuss whether it is appropriate for the involved member to return to duty. The Panel shall include a representative of the Behavioral Science Unit, the officer-in-charge of the Homicide Detail, the Deputy Chief, Commander, and Captain overseeing the involved officer's unit, the officer-in-charge of the Management Control Division, the Deputy Chief of Investigations and officer-in-charge of Risk Management.

   The Chief, after consulting with the panel shall determine if the member should be returned to their regular field assignment, but only after completion of any mandatory debriefing (per DGO 8.04, Section 1.A), and any recommended retraining. This decision, including the factors supporting the decision, shall be contained in a written report that shall be forwarded immediately to the Police Commission. A copy of the report

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shall also be forwarded to the Director of the OCC. This report will be part of the officer's confidential personnel file and shall not be disclosed to any member of the public except by court order. The Police Commission shall, at the first Commission meeting following receipt of the report, meet in closed session with the Chief of Police to review the Chief's findings and decision. Officers shall not be returned to their regular duty until the Commission has met in closed session with the Chief of Police.

Any determination by the Chief not to return an officer to their regular assignment and to continue their reassignment is administrative only and in no way shall be considered punitive.

5. The officer shall receive a debriefing by the Crisis Incident Response Team and support as outlined in Section C., of Department General Order 8.04.

H. INVESTIGATIONS

1. Officer-involved shootings. The Homicide Detail and the Management Control Division shall respond immediately and conduct a timely investigation into every officer-involved shooting. These investigations shall utilize the same numbering system, and be consistent with each other, e.g., 03-01 (first O.I.S. of 2003), 03-02 (second O.I.S. of 2003) etc.

2. Officer-involved discharges. The Commanding Officer of the member involved shall contact the Management Control Division and obtain an O.I.D. number. The report prepared by the Commanding Officer of the member involved shall reflect the M.C.D. issued O.I.D. number. The final report submitted shall be routed through channels, to the Management Control Division for evaluation prior to review by the Chief of Police.

I. REVIEW OF INVESTIGATIONS

1. Officer-involved shootings.

   a. Homicide Detail Investigation. The criminal investigation prepared by the Homicide Detail shall be completed and received by the Chair of the Firearm Discharge Review Board within forty-five-calendar days of the shooting event. If the criminal investigation report is not completed within forty-five calendar days of the shooting event, the Officer-in-charge of the Homicide Detail shall appear before the

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Commission at the earliest possible meeting to explain why the report has not been completed.

b. Management Control Division Investigation. The administrative investigation prepared by the Management Control Division shall be completed and submitted to the Chair of the Firearm Discharge Review Board within sixty-calendar days of the shooting event. If the administrative investigation report is not completed within sixty-calendar days of the shooting event, the Officer-in-charge of the Management Control Division shall appear before the Commission at the earliest possible meeting to explain why the report has not been completed.

c. The Firearm Discharge Review Board shall convene within thirty calendar days of receipt of the Management Control Division investigation report. Within 120 calendar days following the first meeting of the Firearm Discharge Review Board, the panel shall complete its investigation and issue its findings in accordance with Department General Order 3.10. If the Firearm Discharge Review Board report is not completed within the required 120 calendar days, a representative of the Firearms Discharge Review Board shall appear before the Commission at the earliest possible meeting to explain why the report has not been completed.

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NON-UNIFORMED OFFICERS

This order establishes policies regarding the use of non uniformed officers in traffic and crowd control situations, and the requirements for identification.

I. POLICY

A. DEFINITION. A non uniformed officer is any officer who is not wearing the prescribed S.F.P.D. uniform.

B. ARRESTS/IDENTIFICATION. Before making an arrest, detaining a suspect, conducting a search, serving or executing a warrant, or issuing a citation, non-uniformed officers shall display their police star or other official identification. When requested, non-uniformed officers shall promptly and politely provide their name, star number and assignment.

C. TRAFFIC ENFORCEMENT (also see DGO 9.01, Traffic. Enforcement).

1. **TRAFFIC STOPS /CITTATIONS.** Non-uniformed officers shall not initiate traffic stops, issue traffic citations or make minor traffic arrests except:

   a. When the activity is related to an ongoing criminal investigation or regulated vehicle enforcement, e.g., taxi cabs, shuttle buses, limousines.

   b. When witnessing an aggravated situation requiring immediate action to protect life or property, e.g., drunk driving.

2. BACKUP UNIT. When making a traffic stop under the circumstances described above (except for regulated vehicle enforcement) non uniformed officers shall immediately request a marked backup unit.

D. CROWD CONTROL. Non uniformed officers shall not be used to make arrests in crowd control situations unless there is reasonable cause to believe there is a danger to life or the possibility of great bodily injury (see DGO 8.10, Guidelines for First Amendment Activities and SFPD Crowd Control Manual).

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Language Access Services for Limited English Proficient (LEP) Persons

The purpose of this order is to establish language access procedures, consistent with federal, state and local law, for San Francisco Police Department (SFPD) members to follow when encountering a limited English proficient (LEP) person. This order also defines the importance of effective and accurate communication between SFPD members and the community they serve. Language barriers can impede such effective and accurate communication in a variety of ways. Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency from accessing and/or understanding important rights, obligations, and services, or from communicating accurately and efficiently in different situations. Hampered communication with limited English proficient victims, witnesses, suspects, and community members can jeopardize safety and create evidentiary and investigative challenges.

I. POLICY

It shall be the policy of the San Francisco Police Department to take every reasonable step to ensure timely and accurate communication and access to all individuals regardless of national origin or primary language. When performing law enforcement functions, members shall provide free language assistance to LEP individuals whom they encounter or whenever an LEP person requests language assistance services. The San Francisco Police Department recognizes the importance of effective and accurate communication between its members and the diverse community it serves. It is the policy of this department to inform members of the public that language assistance services are available free of charge to LEP persons and that the Department will provide these services to them as part of the department's community policing and enforcement efforts.

II. DEFINITIONS

A. PRIMARY LANGUAGE: The language in which an individual is most effectively able to communicate.

B. LIMITED ENGLISH PROFICIENCY (LEP) PERSON: Individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand English.

C. INTERPRETATION: The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

D. TRANSLATION: The replacement of written text from one language (source language) into an equivalent written text into another language (target language).

E. QUALIFIED BILINGUAL MEMBER: For purposes of this order, SFPD members who identify themselves as "bilingual" must demonstrate, through a formal procedure which has been established by the Department of Human Resources (DHR), competency to communicate in the source language by demonstrating the ability to listen to a communication in one language (source language) and orally convert it to another language (target language) while retaining the same meaning. The Department will provide all members with training in interpreting techniques, roles, and ethics so that they may understand and follow confidentiality and impartiality rules for interpreters as defined by DHR.

F. QUALIFIED CIVILIAN INTERPRETER: A Qualified Civilian Interpreter is an individual who has been certified by the City or other designated qualifying agency. A Qualified Civilian Interpreter may be an employee of another city department or an outside agency contracted to provide language interpretation services to the Department. The Department will contract with outside agencies to provide in person as well as telephonic interpretation services.

G. EXIGENT CIRCUMSTANCES: Exigent circumstances are defined as situations that require deviation from procedures, such as a threat to life, safety, or property, a fleeing suspect, or the potential loss or destruction of evidence. (e.g., physical loss of property, witness or victim.)

III. PROCEDURES

SFPD members are to follow these procedures in all encounters absent exigent circumstances; however, exigent circumstances may require some deviation. In such situations, SFPD members shall use the most reliable, temporary interpreter available. Once the exigency has passed, members are expected to revert to the procedures set forth in this general order.

A. GENERAL. The following procedures shall apply to members who encounter LEP individuals while performing law enforcement functions.

B. IDENTIFICATION OF PRIMARY LANGUAGE.

1. All SFPD members will be provided a language identification card to aid in the identification of the primary language spoken by the LEP individual.

2. SFPD members should display the language identification card to the LEP person so the person can identify the language they speak prior to calling a qualified bilingual member, contract, or professional interpretation service. The member should then request the appropriate interpreter.

3. If the LEP person does not appear able to read or understand the language identification card, the member should call Department of Emergency Management (DEM/ECD) or the professional interpretation service and advise the service of the situation. With assistance from the language service member, members should attempt to ascertain the LEP individual's language in order to obtain a suitable interpreter.

C. USE THE SERVICES OF BILINGUAL MEMBERS

1. Staff Services shall maintain a listing of all SFPD Qualified Bilingual Members. This list will be provided to and kept at the Operations Center.

2. In the event that SFPD Bilingual Members are unavailable, SFPD members may also utilize a Qualified Civilian Interpreter. Contract and professional interpretation associations, or other professional interpreter services include interpretation services offering in-person interpretation, as well as those offering telephonic interpretation. SFPD

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officers shall be provided with the appropriate contact information and any department account code information to access such services.

D. ORDER OF PREFERENCE. Members shall provide oral interpretation services to LEP persons they encounter in the following order of preference unless deviations are required to respond to exigent circumstances.

1. Direct Communication by Qualified Bilingual Member: The preferred method of providing services to LEP persons is through the use of a Qualified Bilingual Member.

2. Use of Qualified Civilian Interpreter: When Qualified Bilingual Members are unavailable, members shall use a Qualified Civilian Interpreter or a professional interpreter to provide in person interpretation services.

3. Telephone Interpreter: When qualified interpreters are not available to provide service in person, SFPD members may utilize DEM/ECD or use the language card to access the professional language service provider or Qualified Civilian Interpreter to provide interpretation services by telephone.

4. Officers should take reasonable steps to insure that the qualified interpreter does not know any of the parties.

E. RESTRICTIONS.

1. SFPD members should not use family members, neighbors, friends, volunteers, bystanders or children to interpret for a LEP person unless exigent circumstances exist and a more reliable interpreter is not available, especially for communications involving witnesses, victim and potential suspects, or in investigations, collection of evidence, negotiations or other sensitive situations.

2. If an exigent circumstance requires a member to use family members, neighbors, friends, volunteers, bystanders or children for initial language assistance, the member shall seek the assistance of a Qualified Bilingual Member, Qualified Civilian Interpreter, or other professional interpreter to confirm or supplement the initial translation or interpretation as soon as practical.

F. GENERAL INTERVIEWS: When conducting general interviews, members should seek the assistance of a Qualified Bilingual Member, Qualified Civilian Interpreter, or other professional interpreter, or the language line whenever the member encounters an LEP person who requests an interpreter or is unable to communicate with or is experiencing difficulty communicating with the member.

G. FORMAL INTERVIEW: The accuracy of victim and witness statements is a priority in criminal investigations. Thus, to ensure effective communication and accuracy, either a Qualified Bilingual Member or Qualified Civilian Interpreter shall be used when taking formal statements or conducting any formal interview of a LEP witness and/or victim. Written forms shall be provided to the witness and/or victim in his or her primary language when available. In the case of forms that have not been translated into the LEP person's primary language and

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in the case of illiteracy, forms shall be read to the witness and/or victim in his or her primary language by a Qualified Bilingual Member, or Qualified Civilian Interpreter.

H. INTERROGATIONS

1. The Miranda admonition, and all other written forms shall be provided to the suspect in his or her primary language when available. In the case of forms that have not been translated into the LEP person's primary language and in the case of illiteracy, forms shall be read to the suspect, by the Qualified Bilingual Member or Qualified Civilian Interpreter, in his or her primary language.

I. PROCEDURES FOR SPECIFIC SCENARIOS

1. Custodial Interrogations and Crime Victim Interviews:

   a. Formal crime victim interviews and custodial interrogations of suspects potentially involve statements with evidentiary value, upon which an individual may be impeached in court. As such, accuracy is a priority. Moreover, a failure to protect the rights of LEP individuals during arrests and custodial interrogations presents risks to the integrity of the process. SFPD members must recognize that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. A Qualified Bilingual Member or Qualified Civilian Interpreter shall be used for any custodial interrogation or taking of a formal statement where the suspect or witness' legal rights could be adversely impacted. The preferred method for interviewing a LEP individual is direct communication. When a Qualified Bilingual Member is not available to directly communicate with a LEP individual a Qualified Civilian Interpreter shall be provided. The following procedures shall be utilized in custodial interrogations:

      1) Contact a Qualified Bilingual Member or Qualified Civilian Interpreter to appear in person, unless the LEP person consents to the use of an interpreter via telephone or other exigent circumstance(s) exist. SFPD members shall have access to contract interpreters and/or a directory of professional interpreter associations and services. All LEP custodial interrogations shall be taped unless exigent circumstance(s) exist.

      2) Advice of Miranda admonition and all other written forms and notices shall be provided to both the suspect and witness in his or her primary language when available. In the case of forms that have not been translated into the LEP person's primary language and in the case of illiteracy, forms shall be read to the individual, by the Qualified Bilingual Member or Qualified Civilian Interpreter, in his or her primary language.

2. Field Contacts, Enforcement, and Investigations:

   a. Field contacts with LEP persons could generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts.

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3. Notification of Interpretation Services to LEP Individuals: At the main public entry or lobby of each SFPD Facility, as defined in Administrative Code Section 91.2 (e), signs shall be posted stating that interpreters are available free of charge to LEP individuals.

J. INCIDENT REPORTS. Whenever an incident report is prepared regarding an incident involving an LEP person, the incident report shall identify the primary language spoken by the LEP individual, the person who provided the interpretation, and the manner in which interpretation services were provided.

K. TRANSLATED DOCUMENTS. SFPD shall maintain written forms and guidelines for assistance to LEP individuals.

1. Transcribing Tapes and Other Evidence Into English: The Department shall translate tapes, documents, evidence, or documents submitted by LEP individual(s) into English when such evidence is necessary to continue the investigation and/or prosecution of a criminal case or a Departmental administrative investigation.

L. AIRPORT BUREAU. Airport Bureau members, and other members of the San Francisco Police Department providing services at the Airport, will adhere to department policies. Airport Bureau members and other members of the San Francisco Police Department providing services at the Airport will contact Airport Communications when language assistance is required at the San Francisco International Airport.

M. COORDINATION WITH DEPARTMENT OF EMERGENCY MANAGEMENT. On a monthly basis the Department shall provide the Department of Emergency Management (DEM/ECD) with a copy of the Department's Bilingual Personnel List.

N. TRAINING.

1. In an effort to ensure all SFPD members are properly trained in these guidelines, the SFPD will provide periodic training in member awareness of the LEP policies, how to access both in-person and telephone interpreters, and how to work with interpreters. The Department shall conduct such trainings for new recruits, at in-service training and at Roll Call for SFPD members at least every two (2) years. Initial training shall be conducted within 180 days of the Police Commission's adoption of this General Order.

O. RECORDING AND TRACKING OF LANGUAGE ACCESS EFFORTS: The Deputy Chief of the Administration Bureau will be responsible for, and will direct as necessary, divisions within the Bureau to address translation and interpreter services, develop training, respond to language access concerns/suggestions by staff and the public, review Department progress and coordinate budgetary, procurement and contracting matters related to language access.

1. Language Access Liaison Officer

a. The Department shall designate a Language Access Liaison officer. This officer shall prepare quarterly (or more frequently as needed), a written report on LEP matters, through the chain of command, to the Chief of Police.

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b. The Language Access Liaison officer's duties include but are not limited to:

1. Monitoring compliance with the General Order;

2. Coordinating language access training at the Academy;

3. Coordinating interpreter training for qualified bilingual members and employees;

4. Coordinating telephonic and third party interpreter services as required by this order;

5. Working with the Department of Emergency Management to establish a system that immediately identifies LEP calls and promptly dispatches language assistance, preferably with a bilingual officer speaking the needed language;

6. Coordinating as needed meetings with the Office of Citizen Complaints and community groups to discuss and resolve language access complaints;

7. Overseeing the LEP data collection as detailed below; (this will require implementation of RMS); and

8. Preparing a biannual report for the Police Commission addressing the Department's language access efforts.

2. Each year, the Department shall collect the information required by San Francisco Administrative Code sec. 91.9(b)(1-14). In addition, the Department shall collect LEP data as to all calls for service, contacts and investigations that require an incident report.

3. In a yearly report to the Police Commission, the Department shall provide data concerning 1) the number of calls for service, contacts and investigations involving LEP persons where an incident report was required; 2) the manner in which interpretation services were provided; 3) any complaints concerning language access which have been forwarded by the Office of Citizens Complaints; and 4) the Department's resolution to any language access complaints. This report shall be a public document that is posted on the Police Department and Police Commission's website and provided to the Office of Citizen Complaints in advance of its presentation to the Police Commission.

Reference:
DGO 2.04, Citizen Complaints Against Officer

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USE OF FORCE

The purpose of this order is to set forth the circumstances under which officers may resort to the use of force. The order also outlines procedures for reporting and evaluating incidents involving the use of force.

I. POLICY

A. It is the policy of the San Francisco Police Department to accomplish the police mission as effectively as possible with the highest regard for the dignity of all persons and with minimal reliance upon the use of physical force. The use of physical force shall be restricted to circumstances authorized by law and to the degree minimally necessary to accomplish a lawful police task.

B. Officers are frequently confronted with situations where control must be exercised to effect .arrests and to protect the public safety. Control may be. achieved through advice, warnings, and persuasion, or by the use of physical force. While the use of reasonable physical force may be necessary in situations that cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would .clearly be ineffective under the particular circumstances.

C. Officers are permitted to use whatever force is reasonable and necessary to protect others or themselves, but no more. The purpose of this policy is not to restrict officers from using sufficient force to protect themselves or others, but to provide general guidelines under which force may be used. If exceptional circumstances occur which are not contemplated by this order, officers should use any force reasonably necessary to protect themselves or others; however, they must be able to articulate the reasons for employing such force.

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D. CATEGORIES OF FORCE TO EMPLOY (IN ASCENDING ORDER OF GRAVITY)

1. When the use of force is necessary and appropriate, officers shall, to the extent possible, utilize an escalating scale of options and not employ more forceful measures unless it is determined that a lower level of force would not be adequate, or such a level of force is attempted and actually found to be inadequate. The scale of options, in order of increasing severity, is set forth below:

   a. Verbal Persuasion

   b. Physical Control (e.g., passive resister, bent wrist control, excluding the carotid restraint)

   c Liquid Chemical Agent (Mace/Oleoresin Capsicum)

   d. Carotid Restraint

   e. Department-issued Baton

   f. Firearm

2. It is not the intent of the order to require officers to try each of the options before escalating to the next. Clearly, good judgment and the circumstances of each situation will dictate the level at which an officer will start. Officers.using any type of force are accountable for its use.

E REASONABLE FORCE

1. Officers must frequently employ the use of force to effect arrests and ensure the public safety. It is not intended that any suspect should ever be allowed to be the first to exercise force, thus gaining an advantage in a physical confrontation. Nothing in this order should be interpreted to mean that an officer is required to engage in prolonged hand-to-hand combat with all its risks before resorting to the use of force that will more quickly, humanely and safely bring an arrestee under physical control.

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2. Penal Code Section 835 a provides that, *"Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such officer be deemed the aggressor or lose his/her right to self defense by the use of reasonable force to effect the arrest, or to prevent escape, or to overcome resistance."*

F. CIRCUMSTANCES JUSTIFYING THE USE OF FORCE

1. Officers may use force in the performance of their duties in the following circumstances:

   a. To prevent the commission of a public offense.

   b. To prevent a person from injuring himself/herself.

   c To effect the lawful arrest/detention of persons resisting or attempting to evade that arrest/detention.

   d. In self-defense or in the defense of another person.

2. Before using force, the officer should consider these questions:

   a. What actions on the part of the suspect justify the use of force?

   b. What crime is being or has been committed?

   c Does the situation require the immediate use of force?

G. VERBAL PERSUASION AS A MEANS OF EFFECTING CUSTODY

1 The practice of courtesy in all public contact encourages understanding and cooperation; lack of courtesy arouses resentment and often physical resistance. Simple directions which are complied with while you merely accompany the subject are by far the most desirable .method of dealing with an arrest situation. Control may be achieved through advice, persuasion and warnings before resorting to actual physical force.

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2. The above should not be construed to suggest that you should ever relax and lose control of a situation, thus endangering your personal safety or the safety of others. Officers are permitted to use that force which is reasonable and necessary to protect themselves from bodily harm.

H. USE OF PHYSICAL CONTROL TO ACCOMPLISH CUSTODY

1. Frequently, subjects are reluctant to be taken into custody and offer some degree of physical resistance. Normally all that is required to overcome the resistance is physical strength and skill in defensive tactics, e.g., passive resister, bent wrist control.

Z Defensive tactics are techniques intended for use when weapons are not available or their use is inadvisable or unreasonable under the circumstances. You must, however, ensure that you are capable of utilizing physical skills to subdue a -person. Good judgement is extremely important in deciding which tactics to use and how much force to apply. The force used must be necessary.

3. When confronted with a situation that may necessitate the use of physical control, consideration should be given to calling for additional cover officers prior to the contact.

4. In encountering physical resistance and/or assault, an officer's primary goal is to control the situation. The level of force encountered determines what form of defense should be exercised. When conditions permit, the best means of controlling a subject is by the imposition of manual restraint according to methods taught in Department training courses.

   a. Choking by means of pressure on the subject's trachea is a prohibited practice.

   b. Rendering a subject unconscious by applying pressure to the carotid artery is permissible only when lesser types of restraint would be ineffective (see Section L, J.).

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L. USE OF LIQUID CHEMICAL AGENT (MACE/OLEORESIN CAPSICUM) TO ACCOMPLISH CUSTODY

1. Liquid chemical agent is a non-lethal device designed to subdue a person by projecting a specially formulated liquid onto the face. It is not designed to replace the police revolver or baton. Liquid chemical agent is a defensive weapon intended for use when attempting to subdue an unarmed attacker or to overcome resistance likely to result in injury to either the suspect or the officer.

2 In most instances, liquid chemical agent will reduce or eliminate the necessity for greater physical force to effect the arrest. Every officer should be equipped with liquid chemical agent and, when practical to do so, should use it rather than the baton or carotid restraint.

3. MEDICAL TREATMENT. Persons who have had Mace or O.C. sprayed on their faces shall have their faces washed and their eyes flushed with clean water at the scene or as soon as possible. Medical evaluation shall occur.

   a. Prior to booking and as soon as practicable. .

   b. If the person is recovering normally, request an ambulance (Code 2) to the scene or arrange to have paramedics meet you at another location to medically assess the individual.

   c. If the ambulance is unavailable or the delay will be excessive, transport the exposed subject to SFGH for medical evaluation.

   d. If the sprayed suspect looses consciousness or has difficulty breathing, summon an ambulance Code 3.

4. TRANSPORTATION. Persons who have been sprayed with Mace or O.C. must be transported in an upright position by two officers. The passenger officer shall closely monitor the subject for. any signs of distress which would require medical evaluation and/or treatment. Hobble cords or similar types of restraints shall only be used to secure a subject's legs together. They shall not be used to connect the subject's legs to his/her waist or hands in a "trussed" position.

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5. MONITORING SUBJECTS. Supervisors shall ensure that any person who has been sprayed with Mace or O.C. is kept under direct visual observation until he/she has been medically evaluated. If the person appears to be having difficulty breathing, an ambulance shall be summoned immediately.

6. BOOKING FORM. Persons who have been sprayed with liquid chemical agent shall have that noted on the booking form.

J. USE OF CAROTID RESTRAINT TO ACCOMPLISH CUSTODY

L The carotid restraint, when properly applied, is a very effective means of subduing a violent subject; however, caution must be used in its application. The officer applying the hold must attempt to ensure the hold does not slip into a bar arm trachea choke.

2. The carotid restraint is an acceptable use of force in the following situations:

   a. The officer is physically attacked.

   h To stop a physical attack on another person.

   c. The officer has attempted a lesser level of force and found it to be inadequate.

   d. In the officer's best judgement, having evaluated the particular circumstances, a lesser level of force would be inadequate.

3. MEDICAL TREATMENT. Officers finding it necessary to apply the carotid restraint must monitor the subject's vital signs closely. Additionally, if the subject has difficulty breathing or does not immediately regain consciousness, the arresting officer shall immediately call paramedics to the scene. In all cases where the carotid restraint is used, the subject shall be medically evaluated.

4. BOOKING FORM. Persons who have been the subject of a carotid restraint shall have that noted on the booking form.

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K. USE OF BATON TO ACCOMPLISH CUSTODY. The baton in the hands of an officer trained in its use is a very formidable weapon. If we are to obtain effective results, avoid unnecessary injury to suspects, and minimize criticism of the Department, the baton must be used properly and judiciously.

1. The baton must be carried properly in the officer's baton ring. A baton left in the car is of no use to an officer in a confrontation.

2. Officers are not to slap the palm of their hand with the baton or poke the baton at people as an intimidation technique.

3. The baton, when properly used, is capable of delivering extremely powerful blows to stun and incapacitate an aggressive opponent. It is also capable of delivering lethal or permanently disabling blows. Blows to the head, throat, side of the neck, or armpit must be avoided whenever possible.

4. To properly control and therefore maximize its effectiveness, the baton should normally never be raised above the head to strike a blow. The use of the baton as a club is generally prohibited.

5. Striking a handcuffed prisoner with a baton is expressly prohibited (except as allowed for in Section L, C., of this order).

6. Officers will carry only batons issued by the Department

L. USE OF FIREARM TO ACCOMPLISH CUSTODY. See DGO 5.02, Use of Firearms.

M. UNNECESSARY FORCE
(DEFINED)

1 Unnecessary force occurs when it is apparent that the type or degree of force employed was neither necessary nor appropriate. When any degree of force is utilized as summary punishment or for vengeance, it is clearly improper and unlawful.

2. Malicious assaults and batteries committed by officers constitute gross and unlawful misconduct. Penal Code Section 149 provides criminal penalties for every public officer who under the color of authority, without lawful necessity, assaults or beats any person.

3. When the use of force is applied indiscriminately, the officer will face civil and criminal liability and Department disciplinary action.

4. justification for the use of force is limited to what is reasonably known or perceived by you at the time. Facts discovered after the event, no matter how compelling, cannot be considered in determining whether the force was justified.

N. REPORTING AND INVESTIGATING THE USE OF FORCE

1. TYPES OF INCIDENTS REQUIRING REPORTING. Officers must report the use of the following types of force:

a Physical control, when the person is injured or claims to be injured.

h Liquid chemical agent, when sprayed on or at the person.

c Department-issued baton, when the person is struck or jabbed.

d When the officer finds it necessary to strike a suspect with his/her fist, a flashlight, or any other object.

e. Carotid restraint.

£ Firearm (also see DGO 5.02, Use of Firearms).

2. NOTIFICATIONIINCIDENT REPORT. In all cases in which an officer is required to report the use of force, the officer using the force shall immediately notify his/her supervisor, and:

a. When the officer using force is also the reporting officer, prepare an incident report containing the following information:

(1) The type of force used (e.g., carotid restraint, struck with fist).

(2) Reason for the use of force (e.g., subject resisted arrest).

(3) The supervisor's name, rank star number and time notified. If applicable, the supervisor's reason for not responding to the scene .shall also be included.

b. In the event that the officer using force is not the officer preparing the -incident report, the officer using the force shall:

(1) Ensure that he/she is clearly identified in the incident report.

(2) Ensure that the incident report includes:

- The type of force used (eg., carotid restraint, struck with fist).
- Reason for the use of force (e.g., subject resisted arrest).
- The supervisor's name, rank, star number and time notified.

(3) Or prepare a supplemental report or a statement form with the above information

3. SUPERVISORY OFFICERS RESPONSIBILITIES. When notified of the use of force, supervisors shall determine whether anyone (including the officer) has sustained an injury and its severity. If an injury has been sustained which is serious enough to require immediate medical treatment, the supervisor shall immediately respond to the. scene of the incident unless a response is impracticable, poses a danger, or where officers' continued presence creates a risk. Response is optional in other reportable use of force incidents. Upon arrival, the supervisor shall do the following (when more than one supervisor responds, the responsibility shall fall on the senior supervisor):

a. Ensure that witnesses (including officers) to the criminal incident and also the reportable use of force incident are identified, interviewed, and that this information is included in the incident report. Hostile situations or number of witnesses may preclude identification and interview of ail witnesses.

b~ Conduct observations of the scene and injured subjects or officers.

c. Conduct a supervisorial evaluation to determine whether the force used appears reasonable and within the provisions of this order.

d. When appropriate, cause photographs of injuries or other evidence connected to the case to be taken and booked as evidence.

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e. Review the officer's incident report.

f. Record the incident in the Use of Force Log (see below). The supervisor who is notified of the reportable use of force is responsible for recording the incident in. the Use of Force Log.

4. UNNECESSARY OR EXCESSIVE FORCE/REPORTING AND INVESTIGATIVE RESPONSIBILITIES. Should the supervisorial evaluation conclude possible misconduct involved in the use of force, the supervisor shall:

a. Immediately notify his/her superior.

h Make arrangements for any interviews that may have to be conducted.

c. Prepare a memorandum of observations, evaluation and actions taken.

5. SUPERIOR OFFICER RESPONSIBILITIES: After being notified of possible misconduct involved in the use of force, the superior officer shall: a. Conduct an investigation.

b. Officers suspected of misconduct shall be advised of rights described in DGO 2.08, Peace Officers' Rights, and be given the opportunity to have a representative present before any administrative interviews.

c If a criminal investigator is assigned the case, the superior officer should confer with the investigator to coordinate the criminal and administrative interviews and Miranda warning.

d Make the required notifications to O.C.C. if a citizen complaint is made (see DGO 2.04, Citizen Complaints Against Officers). Notify the officer's commanding officer when required (see DGO 106, Duties of Superior Officers).

e. Prepare a report containing results of investigation, preliminary findings, conclusions and recommendations if appropriate.

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6. RECORDING PROCEDURES/USE OF FORCE LOG/TRAINING DIVISION USE OF FORCE REPORT. Every unit of the Department whose officers normally perform street duty (e.g., district stations, Narcotics, Vice Crimes, Traffic, Special Operations Division, etc.) shall maintain a Use of Force Log (SFPD 128). Other units (e.g., administrative, investigative, etc.) need not maintain a Use of Force Log; however, commanding officers of these units are responsible to ensure compliance with all other provisions of this order along with the following recording procedures:

a: On each occasion that an officer reports the use of force in an incident report, he/she shall verbally notify the supervisor reviewing the report if different than the supervisor notified that the report contains reportable use of force. The supervisor reviewing this report shall ensure the necessary information is placed in the Use of Force Log.
. Two copies of the incident report shall be attached to the log.

h On the 1st and 15th of each month, commanding officers shall sign the log and send it, along with one copy of each of the incident reports, to their respective deputy chief. The deputy chief will review the log and route it to the Management Control Division. Commanding officers shall forward a copy of the log and one copy of each incident report to the Commanding Officer of the Training Division.

c. The Commanding Officer of the .Management Control Division will maintain controls that assure all unit logs are received and shall review completed forms to ascertain if any officer appears to be having problems with the use of force. If. so, he/she shall notify the appropriate command personnel (also see DGO 3.18, Performance . Improvement Program and *Performance Improvement Program, A. Supervisor's Guide,* DM-06).

d. The Commanding Officer of the Training Division will maintain controls that assure all unit logs and reports are received, and shall perform a non-punitive review of completed ,logs and incident reports to ascertain the number, types, proper application and effectiveness of uses of force reported by members of this Department. The information developed shall be used to identify training needs. The Commanding Officer of the Training Division shall report to the Chief of Police quarterly on the use of force by members of the Department.

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FIREARM DISCHARGE REVIEW BOARD

This order outlines the functions and responsibilities of the Firearm[1] Discharge Review Board and delineates the procedures for reviewing, investigating, and reporting to the Police Commission, cases in which members discharge a firearm.

I. POLICY

A. DUTIES OF BOARD

It is the policy of the San Francisco Police Department to review every instance in which a firearm is discharged whether or not such discharge results in an injury or death. The Firearm Discharge Review Board shall review every discharge of a firearm by a member.

The purpose of this review process is to ensure that the department is continually reviewing its training, policy and procedures in light of the circumstances that lead to firearm discharges by members and to determine if the discharge was in policy.

The San Francisco Police Department recognizes the public's right to know about this department's use of deadly force. It is the policy of the San Francisco Police Department to provide as much information as possible through this public reporting process while complying with applicable civil and criminal laws and preserving the integrity of ongoing investigations.

B. DEFINITIONS

- Officer-involved shooting.

  An officer's discharge of a firearm that results in the physical injury or death of a person, even if it is an accidental discharge.

- Officer-involved discharge.

  An officer's discharge of a firearm that does not cause injury or death to a person. Shooting at, injuring, or killing animals also fall into this category, including an accidental discharge that does not cause injury.

[1] For the purpose of this order, "firearm" is defined in conformance with California Penal Code Section 12001(b), excluding Extended Range Impact Weapons shall not be considered firearms within the meaning of this order.

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C. COMPOSITION

1. The Department Firearm Discharge Review Board shall be composed of:

- Member of the Police Commission, Advisory
- Deputy Chief of the Administration Bureau, Chair
- Deputy Chief of the Field Operations Bureau
- Deputy Chief of the Airport Bureau
- Deputy Chief of the Investigations Bureau
- Range Master, Advisory
- Commanding Officer of Risk Management, Advisory
- Director of the Office of Citizen Complaints (OCC), Advisory

2. The Police Commission member shall be appointed by the Commission President and serve a one year term.

D. FUNCTION:

Officer Involved Shootings:

1. Within 30 calendar days following receipt of investigatory reports from the Homicide Detail and Management Control Division regarding a shooting event, the Chair of the Department Firearm Discharge Review Board shall convene the panel to determine whether the shooting was within policy. Within 30 days following the first meeting of the Firearm Discharge Review Board, the Chair shall report the status of the matter to the Commission. Within 120 days following the first meeting of the Firearm Discharge Review Board the panel shall complete its investigation and issue its findings in accordance with this policy.

2. The Firearm Discharge Review Board shall review written reports submitted by the Homicide Detail - Criminal Investigation, and the Management Control Division - Administrative Investigation.

3. The Firearm Discharge Review Board shall review the submitted reports and interview the involved investigators, as necessary.

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4. The Firearm Discharge Review Board shall discuss the circumstances surrounding the shooting event and the response of the officer(s). Within 15 days of completion of the investigation referred to in paragraph I. D.1., the Firearm Discharge Review Board will submit to the Chief of Police, for his/her concurrence, a written summary of its findings on the officer-involved shooting. This summary shall indicate one of the following findings:

In Policy - The actions of the officer in response to the circumstances leading to the discharge of his/her firearm were appropriate and consistent with department policy.

Not in Policy - The discharge of the firearm was not appropriate under the circumstances and was not consistent with department policy.

This finding shall be accompanied by a recommendation for discipline, or a referral to M.C.D. for further investigation. The Firearm Discharge Review Board shall assign a due date for cases found Not in Policy and referred back to MCD for further investigation.

These findings, In Policy, Not in Policy, shall also include a review of applicable department policy, lack of department policy and recommendations for further policy adoptions.

Further Investigation – Matter referred back to M.C.D. for further investigation or clarification, with a stated due date to the Review Board.

The Chief shall review for concurrence and forward the Firearm Discharge Review Board's written summary to the Police Commission, with a copy to the OCC Director, within 15 days of receipt. In the event of disagreement between Management Control and the Firearm Discharge Review Board, the Chief of Police shall make the final decision. This summary report with the Chief's decision shall be a public record. No report that is made public shall disclose any information deemed confidential by law.

The Director of the O.C.C. shall review the investigation and summary and recommend any further action (including an independent investigation) that the Director concludes is warranted. A summary of the O.C.C. Director's recommendations shall be a public record.

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The Police Commission shall review the Firearm Discharge Review Board's summary and the O.C.C. Director's recommendations and take action as appropriate. No report that is made public shall disclose information deemed confidential by law.

Officer Involved Discharges:

At least once during each quarter of the year, the Firearm Discharge Review Board shall convene to review all Officer Involved Discharges investigated by the Commanding Officers of the members involved. The Firearms Discharge Review Board will meet on the 3rd Tuesday of March, June, September and December to review Officer Involved Discharges that were not addressed in previous meetings during the respective quarter.

The Firearm Discharge Review Board shall review the submitted reports and interview the involved investigators, as necessary.

These discharges shall be reported to the Commission on a quarterly basis. A summary report will be provided at the 1st Police Commission meeting following the reporting quarter. Police Commissioners shall have complete access to reports.

E. POLICE COMMISSION QUARTERLY REPORT

The Chair of the Firearm Discharge Review Board shall prepare a quarterly report to the Police Commission, and a copy to the Director of the O.C.C., that contains a summary of each Officer-Involved Shooting and Officer-Involved Discharge, any disciplinary action or training recommended, and proposals for modifying department policy. This report shall be a public record. No report that is made public shall disclose any information deemed confidential by law.

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EARLY INTERVENTION SYSTEM

I. POLICY

The San Francisco Police Department's members are its greatest asset. The Department has a responsibility to its members and the community to identify and assist members who show symptoms of job stress and/or personal problems. Such symptoms may be exhibited in problematic performance behaviors.

The San Francisco Police Department's Early Intervention System (EIS) is a structured system that identifies and manages behaviors that result in performance related problems by individual members. The intent of this system is to provide non-disciplinary intervention, whenever possible, to assist our members in their professional development in order to provide the highest level of service and satisfaction to the public.

It is the policy of the Department to provide for the protection and confidentiality of the EIS records maintained by the Department that are peace officer personnel records.

II. DEFINITIONS

A. EIS/SYSTEM DEFINED. Early Intervention System.

B. INDICATOR DEFINED. Factors tracked in EIS are given a numerical point to allow for a compilation scoring. This total point score will be the basis for comparison of members within their peer group. Numerical points begin from the date of the first indicator entry; time is calculated on a rolling basis.

C. ASSOCIATED FACTORS DEFINED. Once a member has surpassed indicator thresholds, all items listed under associated factors will be reviewed in order to provide a comprehensive review of the member in question.

D. THRESHOLD DEFINED. Aggregate value(s) of indicators that would trigger EIS review.

E. INTERVENTION DEFINED. A proactive management tool intended to improve the efficiency of individual members and the Department as a whole.

F. PERFORMANCE REVIEW DEFINED. A performance review, for the purposes of this order, is defined as an informal examination of all aspects of a member's work, with an emphasis on the manner in which the member performs job tasks and how that manner may contribute to EIS Indicator Entries.

G. COUNSELING DEFINED. For the purposes of this order, personnel counseling is defined as a process in which a command or supervisory officer meets with a member in a non-punitive setting to discuss the member's performance. Counseling sessions employ techniques designed to reinforce good performance, improve poor performance, and when appropriate, correct behaviors that precipitate or contribute to EIS Indicator Entries. The counseling defined in this order is intended to be a positive tool to assist members in reaching a higher level of effectiveness.

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H. TRAINING DEFINED. Training is a non-punitive tool used to make members more efficient by providing instruction. Training can be in-house or outside training, specific to the needs of the member and the Department.

I. EAP/BSU REFERRAL DEFINED. Supervisory or self-initiated referral to Employee Assistance Program or Behavior Science Unit.

J. PERFORMANCE IMPROVEMENT PLAN DEFINED. A written performance improvement plan, agreed upon by the member, the reviewing supervisor and the member's commanding officer, designed to reduce or eliminate identified behaviors that contribute to EIS Indicator Entries. A performance improvement plan must describe the behaviors to be addressed, actions designed to change those behaviors, measures to enable both the member and supervisor to gauge progress and a time-line for reaching the objective of changing, moderating, or eliminating the behavior(s). The plan, once agreed to by member and supervisor, shall be placed in the member's PIP folder (or Personnel File). Once the time period of the plan has expired, the supervisor shall write a memorandum to the member's commanding officer describing the outcome of the plan and recommending further action, if warranted. Completed performance improvement plans shall be retained in the member's PIP folder for six months after completion and then forwarded to the Personnel Section for filing. If the member subject to the review does not have a PIP folder, the supervisor shall document the review in a memorandum to his/her Commanding Officer. Memoranda documenting such reviews shall be retained in a member's Personnel File. Successfully completed performance improvement plans shall be placed in a sealed envelop at such time that the affected member has had no activity in the EIS System that rises to the level of requiring a performance review for two years. Sealed envelopes will be opened only where required to comply with a court or administrative order or process, or where otherwise necessary to comply with a legal mandate.

K. REASSIGNMENT DEFINED. The Chief of Police or designee may determine that temporarily reassigning a member, who has been identified as reaching a threshold is an appropriate means of intervention. Reassignment is an intervention option that will be used only when absolutely necessary for the welfare of the member and the Department.

L. POST INTERVENTION MONITORING DEFINED. Follow-up to determine the behavioral patterns. Also, to reassess additional intervention needs and to ensure the facilitation of any additional intervention needs to further assist a member's success.

M. DISCIPLINE DEFINED. Punishment intended to correct inappropriate behavior. For purposes of the EIS, cases will be forwarded for discipline only when intervention has been ineffective or when the member refuses to cooperate in the intervention process.

N. DAILY REVIEW. On a daily basis, supervisors will review the EIS system, during their tour of duty, for members under their supervision.

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III. EARLY INTERVENTION SYSTEM TRACKING

A. The EIS shall identify and track the following indicators:

1. Use of force as required by DGO 5.01
2. Officer Involved Shootings
3. Officer Involved Discharges
4. OCC Complaints
5. MCD Complaints
6. EEO Complaints
7. Civil Suits
8. Tort Claims
9. On Duty Accidents
10. Vehicle Pursuits

OCC or MCD complaints that are determined to be "proper conduct" or "unfounded" shall not be counted as indicators.

B. The EIS shall also identify and track the following associated factors:

1. Citizen initiated compliments and commendations
2. Department commendations and awards
3. Arrest by officers
4. Citations by officers
5. Motor vehicle stops
6. Pedestrian stops
7. Training history
8. Voluntary overtime worked
9. Discretionary time off
10. Sick time usage not protected by federal, state or local law
11. Principal participant in a critical incident
12. Criminal cases not filed or dismissed due to documented concerns with a member's conduct, as provided by the District Attorney's Office.
13. Charges of resisting, obstructing or delaying a police officer.
14. Charges of assault on a police officer.

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C. The EIS is a non-disciplinary system that is designed to improve the performance of the Department and its members through coaching, training and types of professional development as described in this order and the EIS Procedures Manual.

The EIS System shall not be accessed or used for the purpose of discipline, promotion, or when a member requests a transfer of special assignment, provided that information that exists outside of and separate from the EIS System may be accessed outside of the EIS System and used for the purpose of discipline, promotion, or when a member requests a transfer or special assignment where appropriate and consistent with Department policies and procedures.

Allegations that Section III(C) has been violated may be addressed through dispute-resolution and/or appeals processes established by Charter or ordinance that apply by their terms to the disputed action. This paragraph is not intended to expand or restrict any existing administrative or legal remedies.

IV. EARLY INTERVENTION SYSTEM INDICATOR ENTRIES

A. The early intervention system is established to identify and evaluate the behavior of members who have received:

1. Five (5) or more EIS Indicator Points, or three (3) or more citizen complaints (OCC) within a six month period.
2. Six (6) or more EIS Indicator Points, or four (4) citizen complaints (OCC), within one year.
3. Three (3) or more documented uses of force, as mandated by General Order 5.01, within a three month period.
4. Involvement as a principal in an officer involved shooting or discharge.

Each indicator tracked in the system is given one specific point. The member's score will be the basis for comparison to members within similar job assignments.

If a member is involved in an incident where multiple points could be accrued, only one point value will be counted.

Once the system has been in use, thresholds may be modified to make the best use of the analysis capabilities of the system.

Indicator points and thresholds, including any adjustments recommended by the EIS Board and approved by the Police Commission, shall be contained in the EIS Procedures Manual.

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B. EARLY INTERVENTION PERFORMANCE REVIEW. The Early Intervention System involves a two-step approach. The EIS Unit, and a member's supervisor during their daily review, will conduct an initial review of all members who exceed the stated thresholds. Supervisors may conclude that a pattern of at-risk behavior does not exist and forward their finding to the EIS Unit through their commanding officer. The EIS Unit may concur that a pattern of at-risk behavior does not exist and that corrective action is not necessary. Conversely, the EIS Unit may not concur with the supervisor's finding that a pattern of at-risk behavior does not exist; the EIS Unit will electronically return the name(s) of the member(s) to the respective commanding officer, who shall ensure that the member's supervisor engages in a performance review and, if appropriate, initiate intervention with the member. Further, the commanding officer shall ensure that the supervisor electronically transmits a report within 21 days to the EIS Unit, indicating what type of intervention has taken place. The supervisor shall continue to monitor the member's performance after the intervention has taken place, and transmit a follow-up report at three months and at one year after the initial intervention.

V. EIS PANEL BOARD MEMBERS

A. The Deputy Chief of Administration is responsible for the operation of the EIS and for reports to the EIS Board, the Chief of Police, and the Police Commission.

B. The Deputy Chief of Administration shall serve as Chairperson for the EIS Board.

C. The EIS Board will consist of the following individuals.

1. Deputy Chief of Administration (Chairperson)
2. Deputy Chief of Field Operations
3. Commanding Officer of Risk Management
4. Commanding Officer of the Training Division
5. Officer in Charge of the EIS Unit
6. Officer in Charge of the EAP/BSU Unit
7. POA Representative
8. OCC Representative

D. The board will meet on the first Wednesday of every quarter at 1000 hours at the Hall of Justice, Room 551, to review aggregate information for thresholds surpassed during the previous quarter. In order to encourage transparency in the review of the aggregate information of EIS, the board meetings shall be open to the public.

E. The Chairperson may designate a replacement in his/her absence. The number of board members needed for a quorum will be five, and consist of at least three Department members, with the rank of lieutenant or higher.

F. The board is an advisory panel; as such, on a quarterly basis, the board will review EIS data on an aggregate basis. The board's primary functions are as follows:

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1. Review EIS data for identified patterns of successes or ineffectiveness resulting from intervention efforts of supervisors and commanding officers;
2. Make recommendation(s) and/or suggestion(s) to the administrative staff regarding the use of alternate intervention strategies that may be useful to supervisors and commanding officers.
3. Review the total number of interventions for the quarter, the types of interventions employed, and the effectiveness of those interventions.
4. Determine future direction, needs, and development for the EIS program, including modifications to the EIS.
5. Review new trends and thresholds as recommended by the EIS administrative staff.
6. Review quarterly and annual resorts prepared by the OIC of the EIS Unit.
7. Review and recommend changes of relevant policies to the Police Commission.

VI. PROCEDURES FOR INTERVENTION

A. EIS PROCEDURES. On a daily basis, the EIS Unit will review the system to determine if any member(s) has surpassed a threshold. The EIS Unit will conduct an initial performance review of the surpassed indicators and associated factor information to determine if it appears that a pattern of at risk behavior exists. For those which a pattern appears probable, the EIS Unit will electronically transmit the information to the member's commanding officer, for further review and intervention by the member's immediate supervisor. On a quarterly basis, the Officer-in-Charge of the EIS Unit will forward the aggregate number of members who have breached thresholds, along with information relative to the categories surpassed and types of interventions employed to the DC of Administration for distribution to the EIS Board. Also, on a quarterly basis, the Officer-in-Charge of the EIS Unit will forward the names of members who have surpassed the system indicator and associated factor information, and supervisor's performance review and/or intervention documentation to the Captain of Risk Management and DC of Administration for their review. The Officer-in-Charge of the EIS Unit will provide quarterly and annual statistical reports to the Deputy Chief of Administration, who will in turn provide the reports to the Chief and Police Commission.

B. OCC PROCEDURES. On a daily basis, the Office of Citizen Complaints will input new complaint information into the system in order for the EIS Unit to accurately track indicator entries and threshold breaches. On a weekly basis, OCC will forward the names of members who have received any complaints to the member's commanding officer. Quarterly, OCC will compile a list of officers who have received three citizen complaints within a six month period or four or more citizen complaints within a year. The report will be forwarded to the Commanding Officer of the Risk Management Office. For purposes of any second or third referral under this order, no citizen complaint that was filed more than two years prior to the current quarter shall be counted or included in the OCC's Quarterly Report.

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C. RISK MANAGEMENT OFFICE PROCEDURES. Upon receipt of the EIS and the OCC Quarterly Reports, the Commanding Officer of the Risk Management Office will prepare a memorandum to the DC of Administration identifying members who fall within the provisions of the EIS as outlined in section IV (A) of this order. A copy of the memorandum shall be sent to the respective member's deputy chief and commander, if applicable. Another copy shall also be sent to the member and to the member's commanding officer, along with copies of the records creating the EIS Tracking Indicators and Associated Factor information.

For purposes of any second or third referral under this order, no EIS Tracking Indicator that was filed more than two years prior to the current quarter shall be counted or included in the Risk Management Office's Quarterly Report.

D. DUTIES OF COMMANDING OFFICERS AND SUPERVISORY OFFICERS Commanding Officers shall ensure that supervisors input data into the system by the end of their tour of duty in order to track indicator entries and threshold levels. (Refer to DM 17, EIS Manual)

1. On a daily basis, supervisors shall review the EIS system for members under their supervision. Based on the information in the EIS system and their knowledge of the members' work performance, a supervisor may initiate a counseling session prior to a threshold being surpassed. Members on loan or special assignment will be tracked by their currently assigned supervisor and their regularly assigned supervisor.

2. Commanding officers shall review electronically transmitted information sent by the EIS unit and assign these reviews to the appropriate supervisor(s).

3. Command and supervisory officers are encouraged to initiate performance reviews and counseling sessions with members under their command whenever they deem it appropriate. Counseling sessions shall not be considered as discipline; however, the fact that a counseling session took place may be considered. Counseling sessions should be recorded in the member's PIP binder (or personnel file) after the member has been given an opportunity to review and sign the documentation.

E. INITIAL REFERRAL-PERFORMANCE REVIEW.

1. If the Commanding Officer is not familiar with the member subject to review due to a recent transfer, the Commanding Officer's superior officer shall determine whom to assign the Performance Review. The Officer in Charge of the EIS Unit shall be electronically notified of any changes in assignment of a Performance Review.

2. Commanding Officers shall review the EIS Unit's and Risk Management Office's Quarterly Report with the member's supervisor.

3. The EIS Unit and a member's supervisor, during their daily review, will conduct an initial review of all members who exceed the stated thresholds. The supervisor may conclude that a pattern does not exist and forward their finding to the EIS Unit through their commanding officer. The EIS Unit may concur that a pattern of at-risk behavior does not exist and that corrective action is not necessary. Conversely, the EIS Unit may not concur with the supervisor's finding that a pattern does not exist, in which case the EIS Unit will electronically return the name(s) of the member(s) to the respective

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commanding officer, who shall ensure that the member's supervisor engage in a performance review and, if appropriate, initiate intervention with the member. Further, the commanding officer shall ensure that the supervisor electronically transmit a report within 21 days to the EIS Unit, indicating what type of intervention has taken place. The supervisor shall continue to monitor the member's performance after the intervention has taken place, and transmit a follow-up report at three months and at one year after the initial intervention. This performance review and intervention plan shall be noted in the member's PIP folder in Section II - Record of Entry, as well as transmit an electronic reply through the EIS System.

4. If the member subject to the review does not have a PIP folder, the supervisor shall document the review in a memorandum to his/her Commanding Officer. Memoranda documenting such reviews shall be retained in a member's Personnel File.

5. Commanding officers shall, within 21 days of receipt of an EIS referral for a member of their command, certify that the required performance reviews have been completed and that the information has been electronically transmitted to the Officer in Charge of the EIS Unit. The commanding officer shall electronically notify the EIS Unit if the performance review cannot be completed within 21 days, along with the reason(s) why it cannot be completed.

F. SECOND REFERRAL-PERFORMANCE REVIEW SESSION. A second performance review session shall be held with any officer who has previously surpassed a threshold and come to the attention of the EIS Unit, and receives one or more additional EIS Indicator Entries within a six (6) month period after the Initial Referral - Performance Review. This session shall be conducted by both the member's supervisor and commanding officer within 21 days of the referral from the EIS Unit.

1. When conducting this second performance review session, commanding officers and supervisors shall review Quarterly Reports along with the member's EIS Indicator and associated factor history for the last five years.

2. The member, the member's commanding officer, and the member's supervisor shall jointly develop, in the course of this performance review session, a performance improvement plan in order to reduce or eliminate member's behaviors that may contribute to unnecessary conflicts. The plan shall be agreed to by the member and signed by the member, the supervisor, and the commanding officer. The original of the plan shall be placed in the member's PIP folder (or Personnel File). Any member subject to a second referral, who refuses to assist in the development of a performance improvement plan or declines to sign the plan, shall be immediately referred to a counseling panel.

3. If the member's complaint history indicates similar conduct, as reported in the Quarterly Reports, a behavior pattern may be evident. If the member's PIP file documents any prior corrective action or failed performance plans, the matter shall be immediately referred to a counseling panel so that a comprehensive plan can be developed to correct the behavior.

G. THIRD AND SUBSEQUENT REFERRALS- COUNSELING SESSION/ COUNSELING PANEL. Whenever a third counseling session is warranted, the matter will be examined by a counseling panel composed of the member's Supervisors Commanding Officer, Deputy Chief or Commander, the

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Commanding Officer of the Management Control Division and the Commanding Officer of the Risk Management Office. The panel will review the member's EIS Indicator and associated factor history and recommend a course of action in writing to the Chief of Police within 21 days. Upon the Chief's approval, the action plan shall be initiated, a copy of the plan shall be included in the member's PIP folder (or Personnel File).

If a member complies with the intervention plan but the plan has been ineffective, the EIS Unit shall review the intervention strategies used and determine if other intervention is appropriate. In cases where the member has been non-compliant with the intervention process, the EIS Unit shall make a recommendation to the Chief of Police that an administrative investigation be initiated.

H. PIP BINDERS (See PIP, A Supervisor's Guide, DM-06). Supervising officers are required to review citizen complaints as they are received, notify the involved member that a complaint has been filed against him or her, and file the complaint in the member's PIP binder.

VII. BEHAVIOR FACTORS

A. When conducting a performance review or a counseling session, the following behavior factors should be among the items to be considered.

1. Is there a behavior pattern that may be causing these EIS indicator entries, whether or not the EIS indicator entries have been investigated or sustained.
2. How does the EIS indicator history of the member compare with other members in similar assignments?
3. Can EIS indicator entries be reduced by simply informing the member of Department policies and procedures?
4. Can better interpersonal skills be developed?
5. Can formal or informal training correct the problem?
6. Are the details of the EIS indicator entries and the allegations so different as to suggest that there is no improper behavior pattern?
7. Is there any other relevant information about the member or circumstances that contributes to the number of EIS indicator entries?
8. Is there a common thread of conduct in separate EIS indicator entries that may be contributing to the frequency of EIS indicator entries?
9. In addition to the other options provided in this order, supervisors may make referrals to the Employee Assistance Program or other intervention programs available to Department members (see DGO 11.09, Employee Assistance Program/Stress Unit).

B. UNFOUNDED/PROPER CONDUCT COMPLAINTS. Once identified, unfounded and/or proper conduct complaints shall not be counted or included in OCC quarterly reports or EIS quarterly reports.

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VIII. OVERSIGHT OF THE EARLY INTERVENTION SYSTEM

A. Each Deputy Chief is responsible for ensuring that his or her subordinates adhere to the provisions of this order. If the Deputy Chief determines that a Supervisor or Platoon Commander/Officer-in-Charge has not complied with the requirements of this order, the Deputy Chief shall direct the Commanding Officer to conduct an immediate investigation to determine why the Supervisor and/or Platoon Commander/Officer-in-Charge failed to comply with this order. This investigation shall be forwarded to the respective Deputy Chief within 21 days, who will, in turn, determine whether any, or all, of his or her subordinates will be subject to disciplinary action. In addition, the commanding officer may be required to prepare a plan to bring the unit into compliance. If a commanding officer has not complied with this order, the respective Deputy Chief will be notified by the EIS Unit and the Deputy Chief shall conduct an immediate investigation and submit his/her findings to the Chief of Police within 21 days, who will, in turn, determine whether the commanding officer will be subject to disciplinary action.

B. The Commanding Officer of the Risk Management Office is responsible for ensuring that an audit of the early intervention system takes place every six months. Such audits shall evaluate the data entry system, the quality of supervisory evaluations, the outcomes of supervisory evaluations, and the quality of supervisory reviews. Audits shall be presented to the Chief of Police, the OCC, and the Police Commission.

C. The Commanding Officer of the Risk Management Office is responsible for ensuring that audits tracking 148 PC/243PC charges and cases dismissed by the District Attorney's Office due to documented concerns with a member's conduct, are maintained and presented to the Board on a quarterly basis for review.

IX. STATISTICAL REPORTS

A. The EIS Unit will provide quarterly and annual statistical reports to the Commanding Officer of Risk Management and the Deputy Chief of Administration.

   1. The Deputy Chief of Administration shall review the reports and provide this statistical information to the Chief of Police and the Police Commission.

B. An audit of the EIS will be performed every six months to verify accuracy of data. The EIS Unit will forward a report of the findings of this audit to the Deputy Chief of Administration.

<u>References</u>

DGO 1.04, Duties of Sergeants
DGO 1.06, Duties of Superior Officers
DGO 2.04, Citizens Complaints against Officers
DGO 11.09, Employee Assistance Program/Stress Unit
DM 17 EIS Procedures (this is currently not in existence)

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Medicolegal Investigations
A. Jay Chapman, MD
Forensic Pathologist
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Santa Rosa, California 95404

Telephone (707) 578-1409

Email: pigs_fly@comcast.net

Report of Autopsy

NAME:	LOPEZ-PEREZ, AMILCAR			*CASE NO*	**150401P**
AGE:	20	*GENDER:*	Male	*NATIONALITY:*	Guatemalan
DATE OF BIRTH:	[redacted]	*DATE OF DEATH:*	2015-02-26	*HOUR OF DEATH:*	21:54
HOUR AND DATE OF AUTOPSY:	08:46, 2015-03-, Windsor-Healdsburg Mortuary, Windsor, California				

Findings

1. Gunfire injuries:
   a. Gunshot wounds to back: three penetrating, one perforating.
   b. Gunshot wound perforating, right arm.
   c. Gunshot wound, perforating, to head.
   d. Findings consistent with grazing wound, right anterolateral chest.
2. Cutaneous abrasions and contusions.
3. Status post complete autopsy and prolonged storage.

Provisional Report

Please note that provisional reports are issued in instances in which further studies or procedures are necessary for completion of the case and determination of cause of death. Provisional reports are issued for informational purposes only, are subject to editing, and should not be regarded as definitive until the final report is issued. In instances involving second autopsies, final determinations are not possible until the original autopsy findings are reviewed.

Probable Cause of Death: Gunshot wounds to head and chest.

2015-04-01

EXTERNAL EXAMINATION

WEIGHT:	131 lb	***LENGTH:***	63 in			***HAIR:***	Long, black		
IRIDES:	Brown	***PUPILS:***	***O.D.***	3 mm	***O.S.***	3 mm	***ANOMALIES:***	Optic globes collapsed	
MUSTACHE:	None		***BEARD:***	None				***CIRCUMCISION:***	No
RIGOR MORTIS:	Passed		***LIVOR MORTIS:***	Faint, posterior					

The unclothed body, contained within an unsealed white body bag, is that of a small, normally developed and normally nourished, young, dark-skinned male that has been previously subjected to autopsy examination. Changes of putrefaction are present, primarily characterized externally by foci of skin slip and growth of mold. Scattered foci of "postmortem abrasion" (skin slip) are noted on the face and forehead especially and scattered on the torso.

An identification tag attached to the right great toe gives identification as "John Doe" with the weight and height recorded above. The funeral home owner, [redacted], however, produced a memorandum from the Chief Medical Examiner for the City and County of San Francisco that identifies this remains, who died on 26 February 2015 and was released with the notation that no communicable disease was evident, to be those of Amilcar Lopez-Perez.

The extremely crudely-sutured prior autopsy incisions are a very shallow Y incision from anterior shoulder to anterior shoulder dipping to the superior sternal region with an associated midline incision to the pubic area. Other incisions involve the region superior to the left nipple producing a quite irregular flap of skin that is from 4 mm to 5.7 cm in width from the shoulder to the midline incision.

A vertical postmortem incision extends from the prior horizontal incision parallel and medial to the left anterior axillary line to the inferolateral left rib cage, and there are three trailing edges inferiorly.

An incision parallel to the superior portion of the midline incision produces an extremely narrow strip of skin ranging from 3 mm to 12 mm wide in the mid chest region with its inferior portion remaining attached.

Other very crudely-sutured postmortem incisions involve each anteromedial thigh from the mid inguinal region distally, 24 cm long on the right and 23 cm on the left.

On the mid anterolateral right arm is a small square sticker with "F", and on the anteromedial aspect at approximately the same level is a similar sticker with "J".

There is marked contusion up to 13 cm in the anterior left chest wall in the region of the sutured postmortem incisions. This region is involved with gunfire injuries to the rib cage, but the skin and tissues have been markedly altered, and no definitive perforations of the skin are identified. There are two intense foci of contusion within this region.

A zigzag healed irregular scar is present on the ventral right forearm. The mid horizontal section crosses approximately the mid ventral right forearm. From this 6-cm horizontal section, a 6-cm segment extends superiorly on the anteromedial surface of the forearm, and a 6-cm vertical segment extends inferiorly along the anterolateral surface.

Early regrowth of shaven pubic hair is noted.

On the dorsal proximalmost right arm slightly inferior to the lateral aspect of the posterior axillary fold is a 12 x 4-mm irregular abrasion.

In the mid back over the inferior thoracic region are vertically oriented abrasions on either side of the posterior midline, more severe on the left than on the right. The abrasion 10 mm right of the midline is a vertical 8.5-cm superficial linear abrasion. The fairly markedly abraded region 12 mm left of the posterior midline is 45 x 12 mm.

In approximately the mid scapular line over the inferior chest cage is a vertical approximately 12 cm mild reddish abrasion/imprint.

Description of Gunshot Wounds

Please note: ***The descriptions given here concerning direction are the best ascertainable by this prosector given the alterations of the body by previous dissection, evisceration, and decomposition of viscera. They are subject to revision in a final resolution report after review of the original autopsy report.***

Gunshot wound #1 10-mm circular entry has a classical abrasion cuff that is skewed superiorly and laterally, consistent with a downward and leftward direction passing forward through the body. It is located in the right posterior shoulder region 27 cm inferior to the plane of the top of the head and 9.5 cm right of the posterior midline in the scapular region. The path apparently involves the scapula and right fifth intercostal space 3.7 cm right of the vertebral midline, not following the rib contour, and is apparently directed acutely downward, forward, and leftward.

Gunshot wound #2 approximately 18 x 12-mm ovoid entry is located 41 cm inferior to the plane of the top of the head and 7 cm right of the posterior midline in the right posterior mid thorax. The abrasion cuff is skewed and most prominent at the inferior aspect of the wound where it is up to approximately 5 mm. This wound apparently associated with fractures of ribs six and 7 at a point approximately 10.5 cm right of the vertebral midline. There is also a simple fracture of the right eighth rib. The path of this missile is not determined. It may pass leftward to cause one of the perforations of the left chest plate, A or B described below.

Gunshot wound #3 approximately 6-mm circular entry is 45 cm inferior to the plane of the top of the head and approximately 6 cm right of the posterior midline inferior and slightly medial to wound #2. The abrasion collar is slightly skewed to the left.

This wound path appears to pass through the right ninth intercostal space in the gutter region 50 mm right of the vertebral midline, through the seventh right intercostal space lateral to the costochondral junction 11 cm right of the midline in the xiphisternum, and then through the skin to exit via a 16 x 12 mm perforation (number 7 in photographs) that is situated approximately 47 cm inferior to the plane of the top of the head and approximately 11.5 cm right of the anterior midline in the right anterolateral/lateral chest.

The exit wound margins appear everted, and there appears to be some minimal marginal abrasion.

Gunshot wound #4 approximately 10 x 6-mm entry is 40 cm inferior to the plane of the top of the head and 8 cm left of the posterior midline in the left posterior thorax . There is an apparently symmetrical abrasion cuff. This wound is associated with perforation of the left eighth rib. The path of this missile is apparently forward to produce one of the two perforations of the left chest plate—either A or B, as described below.

Gunshot wound #5 is a perforating wound involving only the soft tissues of the posterior mid right arm. The approximately one-cm entry hole has a well-defined abrasion collar and is located approximately 10 cm inferior to plane of the posterior axillary fold on the posterolateral aspect of the arm.

The exit wound is a laceration up to approximately 2.5 cm on the medial aspect of the right arm at approximately the same level as the entry wound. The direction is from right to left on the horizontal and very slightly anterior. The path involves the skin, subcutaneous tissues and muscle without discernible bony involvement. The wound path is not opened.

Gunshot wound #6 is a perforating wound to the head. The entry (not numbered on photographs) is approximately 10-mm in diameter and is situated in the left parietal region immediately dorsal to the bitemporal postmortem scalp incision approximately 4.5 cm inferior to the plane of the top of the head and approximately 9 cm left of the posterior midline following the contour of the head.

Fractures radiate from this wound and involve the left middle fossa and left orbital plate. Additional linear fracture crosses the parietal bones rightward. There is distinct inward beveling of this wound.

The exit wound in the right frontal scalp, 7.5 cm inferior to the plane of the top of the head and 6.5 cm right of the anterior midline in the mid forehead, is an irregular 20 x 12-mm laceration of the scalp with no apparent abrasion. Outward beveling of the bone is noted in this skull perforation.

Please note: ***Approximately 0.5 cm inferior to the exit wound preliminarily connected to gunshot wound #3 and approximately 8.5 cm inferior to the right nipple is a deep approximately 5.7 x up to 0.5-cm abrasion highly suggestive of a grazing gunshot wound. It conceivably could represent a continuation of the path of the bullet that perforated the right arm.***

Internal Examination

The body is opened by removal of the crude sutures from the previous autopsy incisions. The body is completely eviscerated from oral cavity through the pelvis and scrotum. The viscera are in a stage of moderate to advanced decomposition and are contained within three plastic bags within the body cavity.

The cranial incision is similarly opened, and the cranium is found stuffed with newspaper.

The chest plate is in a bag separate from other viscera, and fractured segments of two ribs are in a single piece within the body cavity.

There are two gunshot perforations directed from posterior to anterior of the left side of the chest plate. The superior one of these perforations (A) involves the third intercostal space approximately 28 mm left of the sternal midline.

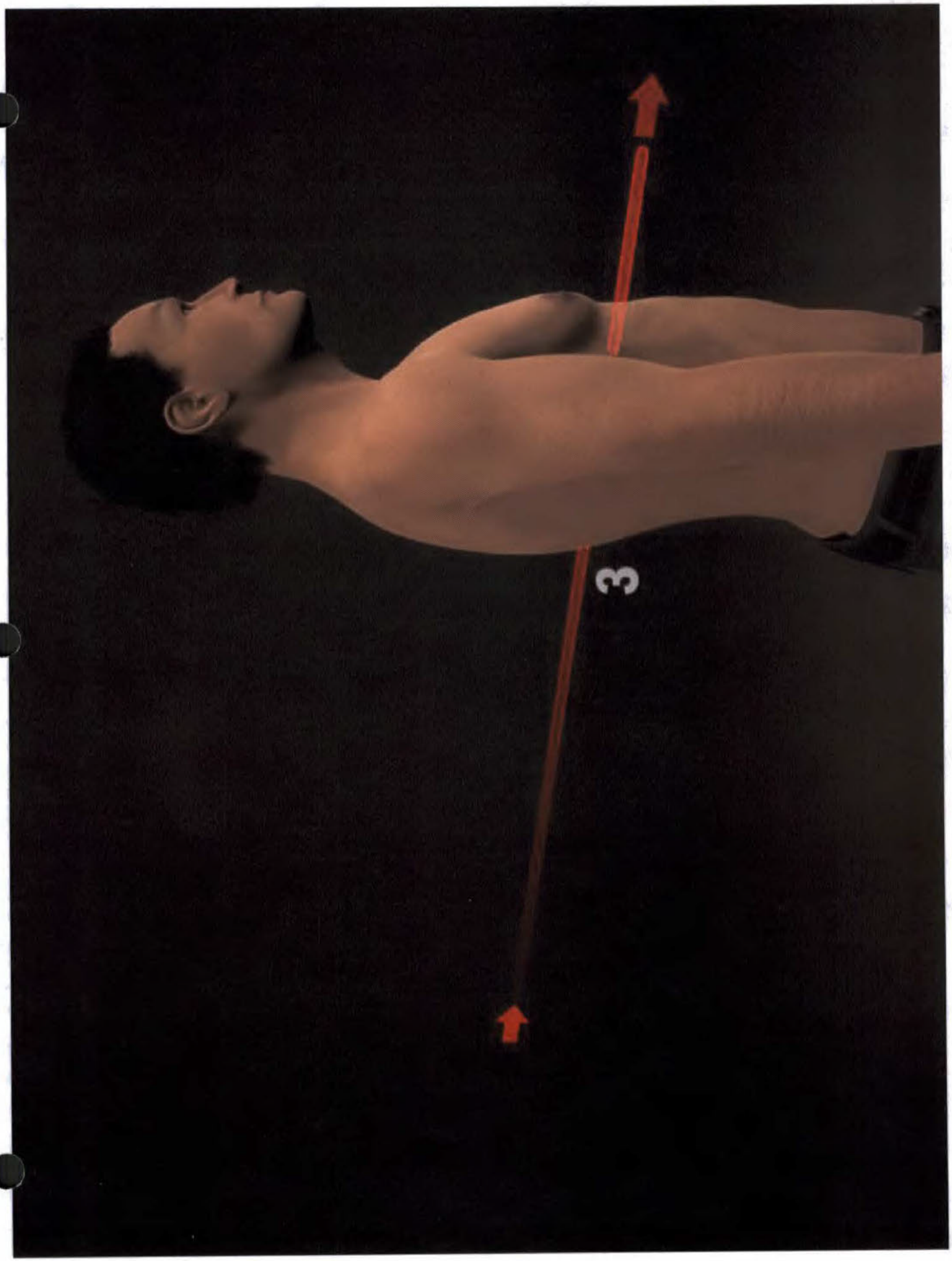
The inferior one (B) involves the cartilaginous portion of the left fifth rib 35 mm left of the sternal midline. Cartilaginous fragments produced by perforation of the rib project anteriorly from the wound.

All of the visceral remains in the three bags are grossly examined. Many of the tissues are not readily identifiable due to their decomposed and dissected/dismembered state. A segment of apparent diaphragm is perforated by a gunshot path, and portions of liver appear somewhat pulpefied from gunfire injury. No absolutely definitive findings can be made from these previously dissected and decomposing viscera.

The postmortem sutured incision of each anteromedial thigh is opened. Incisions extend into the muscular tissues on either side. No injuries are identified, and the exact reason for these incisions is not clear.

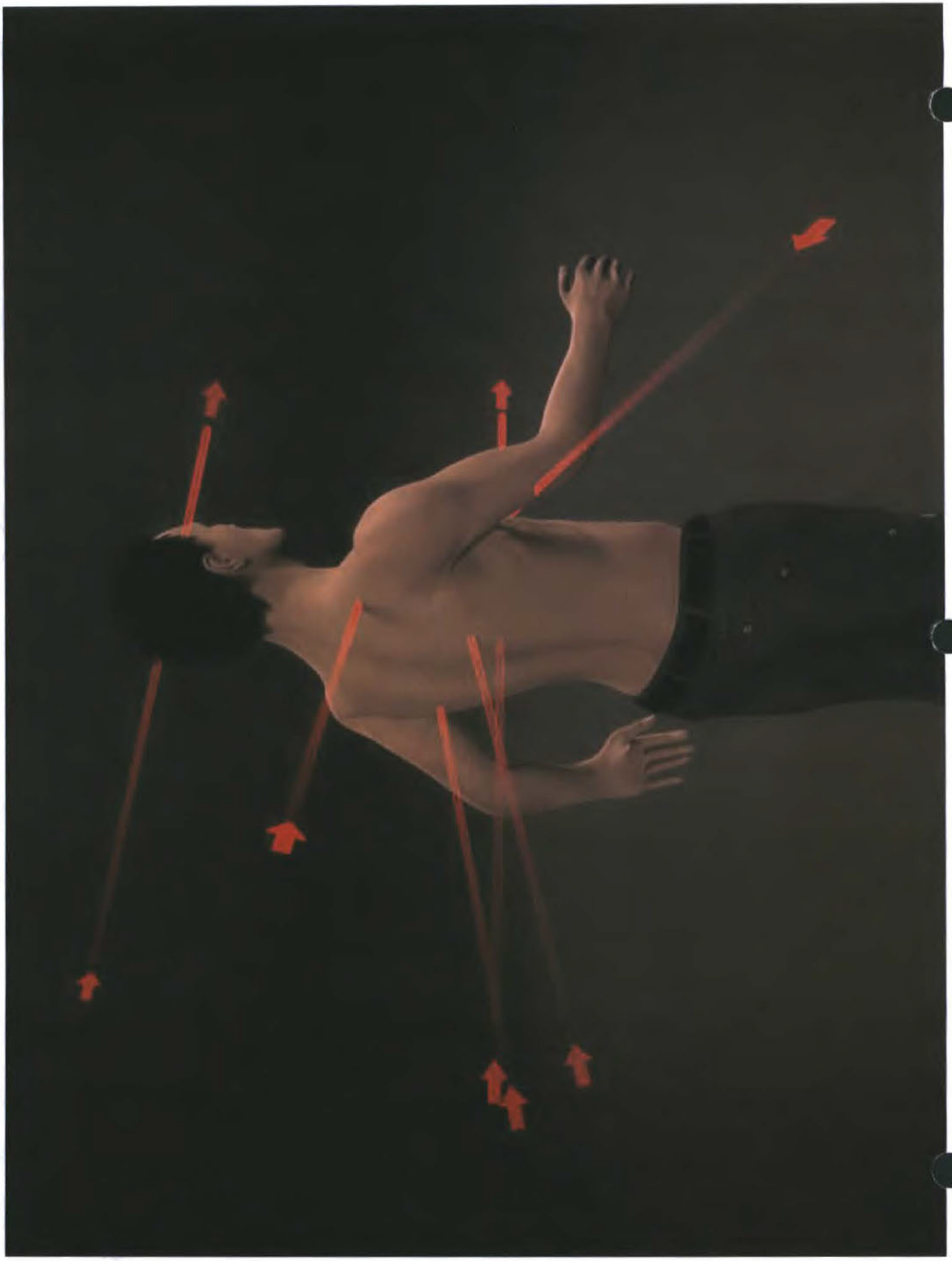
1

2


3

5

9



DEPARTMENT OF POLICE ACCOUNTABILITY

DPA CASE NO.: 0134-15g

INTERVIEW OF: OFFICER CRAIG TIFFE, 1

DATE OF INTERVIEW: 07/31/2017

INV. AULET: Thank you. Okay. This interview is regarding DPA Case number 0134-15, and it's taking place at the Department of Police Accountability, on Monday, July 31st, 2017, at 1:10 p.m. The interviewer is DPA Investigator David Aulet. The member being interviewed is Officer Craig Tiffe, Star number 1312, and he's being interviewed as a named member. Officer Tiffe, do you understand that you have a legal right to a representative?

OFC. TIFFE: I understand, yes.

INV. AULET: And that is why Attorney Michael Whelan, Junior is here next to you. Have you received a complaint from [redacted] and [redacted], regarding an officer involved shooting on the sidewalk in front of 2857 Folsom Street on Friday, February 26th, 2015 at 2147 hours?

OFC. TIFFE: Yes, I have.

INV. AULET: And did you also receive the DPA Allegation Continuation Form with the Neglect of Duty allegation against ID pending?

OFC. TIFFE: Yes.

INV. AULET: And that's an OCC added, or I should say, DPA added Allegation Continuation Form. Did you receive that

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one?

OFC. TIFFE: Yes, sir.

INV. AULET: And have you read Department General Order 2.08?

OFC. TIFFE: I have, yes.

INV. AULET: And Rule 21 of General Order 2.01, which is on the other side?

OFC. TIFFE: Yes.

INV. AULET: And Section 1(a) of General Order 2.04?

OFC. TIFFE: Yes, I have.

INV. AULET: Have you been here before?

OFC. TIFFE: I have, yes.

INV. AULET: Officer Tiffe, you are obligated pursuant to General Order 2.01, Rule 21, and General Order 2.04(1)(a)(4), to cooperate with this OCC or DPA investigation, provide full assistance, and answer all questions truthfully and without evasion. Additionally, pursuant to General Order 2.08(1)(a)(4), you must answer all questions posed to you during this administrative investigation; you are obligated to answer my questions. If your representative interferes with or obstructs this investigation, you will be deemed to have failed to cooperate with this investigation. Failure to cooperate with the investigation may subject you to discipline. If your representative disrupts this interview, I will stop the interview, and prepare a blue folder which states that you are in violation of General Order 2.01 and General Order 2.04. Do you understand these orders?

OFC. TIFFE: Yes, I do.

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INV. AULET: Are you ready to proceed with the interview?

ATTY. WHELAN: I thought we were going to start with a Miranda advisement, he would refuse to answer, and then he would be Lybargered by an IA official.

INV. AULET: If that's something you wanted to do when there was a criminal investigation, as I understand there is no longer one, that you were going to make arrangements with Internal Affairs, in order for them to do a telephone conference, but that's not something we do. We don't have the arrest powers.

ATTY. WHELAN: Well, that's what we confirmed by email that that's what was going to happen.

INV. AULET: But you would need to arrange it with them, so that they would do a teleconference when we start.

ATTY. WHELAN: It was…

INV. AULET: It's not something that we do.

ATTY. WHELAN: I was under the impression, from my email exchanges with you and the Sergeant Perdomo, that that process was set-up, and all we had to do was…

INV. AULET: Maybe between you and Sergeant Perdomo, but that's something that the representatives take care of. If you want to do it, there's a phone there. I can give you the number, and you can call and see which sergeants are on duty; I'm sure they do this all the time.

ATTY. WHELAN: Okay.

INV. AULET: You want to pull that extension over.

ATTY. WHELAN: Sure.

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INV. AULET: And put it on the table. And you can, let's…

(Phone is put on speaker and call is placed.)

RECORDED MESSAGE: Thank you for calling Internal Affairs. Our operating hours are Monday through Friday, from eight a.m. to five p.m. I'm currently unable to take your call, please leave your message, phone number, and a brief message, and I will contact you as soon as possible. If this is an emergency, please hang up and dial 911. For non-emergency calls, please dial 311. Thank you. Record your message at the tone.

INV. AULET: Stop the interview for a second.

END OF RECORDING

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DEPARTMENT OF POLICE ACCOUNTABILITY

DPA CASE NO.: 0134-15g

INTERVIEW OF: OFFICER CRAIG TIFFE 2

DATE OF INTERVIEW: 07/31/2017

ATTY WHELAN: This is Attorney Michael Whelan, on behalf of Craig Tiffe. We are now back on the record. We've had an exchange with the DPA investigator, who does not agree with Sergeant Tiffe's right to be Lybargered. However, he's allowed us to call Sergant Crudo, C-r-u-d-o. What's your Star number, Sergeant?

SGT. CRUDO: 1694.

ATTY WHELAN: And could you please Mirandize Officer Tiffe, and then when he answers no, at the end, if you could Lybarger him, please?

SGT. CRUDO: Sure. Officer Tiffe, because there may be criminal culpability on your part, I want to read you the following material.

OFC. TIFFE: Okay.

SGT. CRUDO: All right. I am advising you that you have the right to remain silent. Anything that you say may be used against you in a court of law. You have the right to the presence of an attorney before and during any questioning, and if you cannot afford an attorney, one will be appointed for you free of charge before any questioning, if you want. Do you understand each of these rights as I've explained them to you?

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OFC. TIFFE: I understand.

SGT. CRUDO: Okay. Are you prepared to be interviewed at this time?

OFC. TIFFE: No.

SGT. CRUDO: Have you read the Peace Officer Bill of Rights?

OFC. TIFFE: Yes, sir.

SGT. CRUDO: Have you been informed of recent court decisions regarding members', employee rights?

OFC. TIFFE: Yes, sir.

SGT. CRUDO: Do you understand your rights as a Peace Officer?

OFC. TIFFE: I do, yes.

SGT. CRUDO: Okay. Officer Tiffe, my name is Sergeant John Crudo. I work for the Internal Affairs Division of the San Francisco Police Department. I have been designated by the Chief of Police to conduct this investigation, I'm therefore, ordering you to answer these questions. Do you understand this statement?

OFC. TIFFE: I do, yes.

SGT. CRUDO: Okay. Officer Tiffe, are you prepared to be interviewed at this time?

OFC. TIFFE: Yes, sir.

SGT. CRUDO: All right.

ATTY WHELAN: Thank you.

SGT. CRUDO: Sure, no problem. See you.

INV. AULET: I would like to clarify the record of your mischaracterization, Attorney Whelan, with regard to my

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position. It is not my position that I'm denying Officer Tiffe's, any rights, but it is your responsibility to make the arrangements prior to, if you wanted him to be Mirandized or Lybargered. With that in mind, Officer Tiffe, are you ready to proceed with your interview?

OFC. TIFFE: Yes, sir.

INV. AULET: Officer Tiffe, have you had an opportunity to review any statement you gave Homicide or Internal Affairs in relation to SFPD Incident Report number 150 178 555, in relation to the officer involved shooting on Friday, February 26th, 2015, that you were involved with?

OFC. TIFFE: Have I had the opportunity? I've had the opportunity, yes.

INV. AULET: Okay. And Officer Tiffe, SFPD CSI produced a CD from the pictures CSI Officer Nibungco took of the officer involved shooting crime scene, on the evening of February 26th, 2015. As part of the OCC, now DPA, investigation of this officer involved shooting, DPA received, and I printed the photographs, contained therein; they will be used as part of your interview. Was your SFPD appointment date February 28th, 2005?

OFC. TIFFE: Yes, sir.

INV. AULET: And is it correct that you and Officer Reboli began your career with SFPD as partners, on probation, at Ingleside Station?

OFC. TIFFE: That is correct.

INV. AULET: And were you re-assigned to Mission Station in the summer of 2007?

OFC. TIFFE: That is correct.

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INV. AULET: Was Officer Reboli your partner again at Mission Station?

OFC. TIFFE: Yes, sir.

INV. AULET: Was your unit identifier on February 26th, 2015, 3 David 39?

OFC. TIFFE: Yes.

INV. AULET: Was your shift 14 to 2400 hours on the evening of February 26th, 2015?

OFC. TIFFE: Yes.

INV. AULET: Are you five feet, nine inches tall?

OFC. TIFFE: Yes, sir.

INV. AULET: Were you about 180 pounds on February 26th, 2015?

OFC. TIFFE: Yes.

INV. AULET: And were you and Officer Reboli worked in plainclothes that night?

OFC. TIFFE: Yes, sir.

INV. AULET: Was your Star exposed or hidden prior to your arrival to the 2800 block of Folsom Street?

OFC. TIFFE: Exposed.

INV. AULET: Do you wear prescription glasses or corrective lenses?

OFC. TIFFE: I do wear contact lenses.

INV. AULET: And did you wear them on the night of February 26th, 2015?

OFC. TIFFE: Yes, sir.

INV. AULET: Are you right-handed?

OFC. TIFFE: I am, yes.

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INV. AULET: Who was your immediate patrol supervisor that night?

OFC. TIFFE: Sergeant Dan Silver.

INV. AULET: Was he working that night?

OFC. TIFFE: I believe he left early that night. So, he may have been on shift and left at some point, but I don't recall.

INV. AULET: To the best of your understanding, do you believe that he left prior to the shooting?

OFC. TIFFE: I know for a fact he was not there, he was already off shift when the shooting occurred. He may have been there during the day, at some point.

INV. AULET: So, the answer is no, he was not there when the shooting occurred?

OFC. TIFFE: Yes, correct.

INV. AULET: Do you know if he returned to the scene at any time that night?

OFC. TIFFE: I do not know.

INV. AULET: Were you using your Department issued Sig Sauer 226?

OFC. TIFFE: Yes, sir.

INV. AULET: And that's a .40 caliber. Correct?

OFC. TIFFE: Yes, sir.

INV. AULET: Did you make any modifications to it?

OFC. TIFFE: No.

INV. AULET: Were you carrying a secondary weapon that night?

OFC. TIFFE: No, sir.

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INV. AULET: Were you and Officer Reboli driving an unmarked silver Crown Victoria, depicted in picture 113, before you?

OFC. TIFFE: Yes, sir.

(Land line phone rings.)

INV. AULET: (Answers it.) DPA David.

(Phone doesn't connect caller.)

INV. AULET: Hello?

SGT. TACK: Yeah. Is [unintelligible]?

INV. AULET: Yeah, this is David Aulet.

SGT. TACK: Yeah. This is Sergeant Tack from Internal Affairs. I'm returning your call.

INV. AULET: We handled the Lybarger. Thank you for calling back.

SGT. TACK: Sure, no problem. Okay.

INV. AULET: Were you the passenger in the front seat of this unmarked silver Crown Victoria, during your response to this 222 call about a person with a knife, chasing another at Folsom and 24th Street?

OFC. TIFFE: Yes sir.

INV. AULET: And after this officer involved shooting, did any SFPD member ask you which of the vehicles parked on Folsom Street was your vehicle?

OFC. TIFFE: Can you repeat that question, please?

INV. AULET: Sure. After the officer involved shooting, while you're still on Folsom Street, did any SFPD member ask you which of the vehicles parked on Folsom Street was your vehicle?

OFC. TIFFE: I don't recall.

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INV. AULET: Can you describe briefly, generally, your state of mind right after the shooting?

OFC. TIFFE: It's very difficult to describe; slow motion, state of shock. The best way I've described it, and I think I described it in a previous statement, is kind of like an out of body experience. Really briefly, I found myself doing police activity, but it wasn't like a normal, like respond to a normal scene. But yeah, so it's very difficult to recall things in a timeframe manner. I can recall events. Unfortunately, they'll probably be stuck with me the rest of my life, but timeframe is a little different.

INV. AULET: Okay. And despite that state of mind that you just described, did you at least recognize that the number of sirens and engines that were arriving promptly to the block from both directions?

OFC. TIFFE: For the sirens, most definitely yes. Can I count how many? No. So, but yes.

INV. AULET: No, I'm not asking you how many. There were about 32 units in the crime scene log that seemed to have been arriving either at the same time, or the person maintaining the crime scene log had difficulty accounting for how many units. So, I surmised that there were a lot of people arriving during the first bunch. Do you recall a broadcast by one sergeant, who alerted other units already on-scene? At any point, did you remember a broadcast by someone alerting other units to ensure that there was a lane of traffic for ingress and egress, for the medics to come into the blocks?

OFC. TIFFE: It's tough to recall.

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INV. AULET: I understand.

OFC. TIFFE: So, sorry.

INV. AULET: Do you recall telling Homicide that you and your and your partner bought a cup of coffee around 9:30 p.m. on 24th Street and Noe, just before the 222 call about a person with a knife chasing another came in?

OFC. TIFFE: Yes, I recall that statement.

INV. AULET: Where do you two get your coffee at night?

OFC. TIFFE: Well, back then, different…things have changed now. He really likes Starbucks, so we had got a cup of coffee. I gave an approximate time, I wasn't sure, but on or around 9:30. It could have been give or take several minutes, but I recall in my statement to Homicide, it was somewhere around 9:30. It could have been 9:20, it could have been 9:15, but somewhere around there.

INV. AULET: Do I gather that you're not a Starbucks fan?

OFC. TIFFE: I'm not a Starbucks fan. I love my Philz coffee, but I did purchase; Philz is closed. I purchased Starbucks, I'm pretty sure I purchased Starbucks that night.

INV. AULET: Did you say Philz was closed?

OFC. TIFFE: At 9:30, around 9:00, yes.

INV. AULET: Okay. So, it wasn't at Philz, because that's right at the corner from Folsom and 24th.

OFC. TIFFE: If I'm, I don't know if they're open at night, but I'm pretty sure Philz on 24th and Folsom is open until 8:30.

INV. AULET: Okay. And you remember that's not where you

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got your coffee at?

OFC. TIFFE: I did not get a coffee at Philz, though I am a Philz fan, for the record.

INV. AULET: So, you were up in the 24th and Noe area?

OFC. TIFFE: At one point, yes, we were.

INV. AULET: Okay. And do you recall the initial calls about this 222, A-priority call?

OFC. TIFFE: Yes.

INV. AULET: The initial broadcast was, quote, "Mission 222, A-priority, 24th and Folsom." End quote. Do you recall being real close to 24th and Folsom, at the time this 222 call for service was broadcasted to Mission units?

OFC. TIFFE: Yes, sir.

INV. AULET: Do you recall where on 24th you were?

OFC. TIFFE: No, sir. I just, well, I was east of Folsom, and we were, all I can say is very close. Because we were in constant motion, I can't, I cannot pinpoint a location. We weren't sitting somewhere, we were driving around, so we were constantly in motion, but we were east of Folsom, or I should say east of 24th and Folsom.

INV. AULET: Do you recall telling Homicide perhaps you were in the vicinity of Alabama, which is about three blocks east from Folsom?

OFC. TIFFE: Yes, I remember telling Homicide that, and I know that at some point, we were on Alabama. I just don't recall when.

INV. AULET: And in what direction did your unit enter the 2800 block of Folsom Street?

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OFC. TIFFE: To this day, I don't recall if we turned right onto Folsom from 25th, or we turned right on Folsom from 26th. So, to this day, I don't recall, so it's one of those avenues.

INV. AULET: That's all right, but at least you remember that you entered from south to north, in a northbound direction?

OFC. TIFFE: Yes, sir.

INV. AULET: Okay. And as a passenger, were you operating the low-band radio in your unmarked vehicle?

OFC. TIFFE: I don't think the grey…it's been such a long time since I've been in there. I don't think it has a low-band.

INV. AULET: So, both of you relied exclusively on PIC radio?

OFC. TIFFE: Yes, sir.

INV. AULET: Did you hear any of the updated broadcasts prior to making that entry on the 2800 block of Folsom Street?

OFC. TIFFE: I did, yes.

INV. AULET: What is your recollection of those important details provided to responding units about a man chasing another with a knife?

OFC. TIFFE: Pretty much, you kind of already said it. A man, one man chasing another with a large knife, and both subjects being Latin male adults, 5'5. I don't remember a clothing description that was broadcast.

INV. AULET: You recall 3 David 14 Edward was dispatched or came out to take this call first?

OFC. TIFFE: Yes, sir.

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INV. AULET: And do you know who that unit is or was?

OFC. TIFFE: I know one of the members.

INV. AULET: Who?

OFC. TIFFE: I don't know who the other one was.

INV. AULET: Who do you believe that is?

OFC. TIFFE: I believe it to be Officer Gilman.

INV. AULET: Gilman? Okay. And do you remember 3 David 16 David also said he was responding as a backup unit, backing up 3 David 14?

OFC. TIFFE: I don't recall 3 David 16 David.

INV. AULET: Dispatch added that the RP yelled at someone on the background. "He's running with a knife over there, heading Folsom towards 25th," that's a quote. Did you hear that dispatch broadcast?

OFC. TIFFE: I'm not sure if I heard that exact broadcast. I do recall the travel. So, I was made aware that they were heading on Folsom towards 25th, and I was also made aware that one was chasing another with a knife. So, I don't know if it's this specific one you're talking about.

INV. AULET: In fact, the following broadcast is exactly what you're referring to. It's, quote, "222 is chasing another male. Both are five feet five inches tall. We're still trying to get a little further description." End quote. Did you hear that one?

OFC. TIFFE: Like I said, I heard, I definitely heard five-foot five. I definitely heard direction of travel, and then one's chasing another with a knife. I just, I can't, you know, two years ago. I can't pinpoint which specific broadcast that I

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heard. I may have heard both, because they both kind of contained the same information.

INV. AULET: Does the unmarked vehicle have an [NVT]?

OFC. TIFFE: Yes, sir.

INV. AULET: Did you broadcast or type-in on the NVT that your unit was also responding as a backup unit?

OFC. TIFFE: We did. I don't recall if it was me, it probably was me, but I, we did. I know for a fact that one of us did.

INV. AULET: Have you reviewed any broadcasts about this that we're talking about?

OFC. TIFFE: No.

INV. AULET: Okay. 3 David 13 Edward also broadcasted 10-25 to indicate they're responding as backup. Did you hear them?

OFC. TIFFE: Which unit did you say, sir?

INV. AULET: 3 David 13 Edward.

OFC. TIFFE: No.

INV. AULET: How about the broadcast that Dispatch provided? Quote, "And they possibly came out of a house, [redacted] Folsom Street." End quote. Did you hear that.

OFC. TIFFE: I don't remember that one. That one doesn't stand out in my mind. In the moment, I may have heard it, but trying to remember it now, I don't.

INV. AULET: Okay. How about the following one, in which the Dispatch says, quote, "Both LMA yelling in Spanish." Did you hear that?

OFC. TIFFE: Once again, I may have heard it that night,

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but I don’t recall it.

INV. AULET: So, from what you’ve said earlier, you seem to remember Latin male adults, and five feet five inches, which comes from two separate broadcasts. Is that correct?

OFC. TIFFE: Yes.

INV. AULET: So, you’ve heard part of what was broadcasted as you were both responding?

OFC. TIFFE: Yes, sir.

INV. AULET: Did you hear the Dispatch update about both subjects being Latino male adults yelling in Spanish? Strike that, I just asked you that question. So, did you or did you not recognize that both subjects might be two males with limited English proficiency, when you were en route to Folsom Street?

OFC. TIFFE: Regardless of whether I heard that transmission or not, I have worked in the Mission ten years, and I always take, I always play that in my mind that that is a possibility.

INV. AULET: Could you elaborate on that, so I can understand what you mean?

OFC. TIFFE: I've made a lot of contacts with people in the Mission. I've worked since July of 2007, and whether it’s my personal life, whether it’s my professional life, I've had to communicate with limited English-speaking, so I always take that in consideration. So, I'm going, I'm at 24th and Folsom; Latin males. Like I said, I may have heard that, and that would have brought that to my attention. But regardless of the fact, I always keep that in consideration, not only because of our policies, but just the fact that communication is key in my job.

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So, I'm always aware of that.

INV. AULET: Would you say that you responded expeditiously to this call for service?

OFC. TIFFE: Can you define expeditiously? I did not respond Code 3, and we obeyed all traffic laws; we were really close.

INV. AULET: So, not lights or sirens were activated in your unmarked vehicle?

OFC. TIFFE: To this day…no sirens. Definitely not, I don’t recall if the red light…if I can describe to you the light in the grey Crown Vic, it is a forward red light. So, it’s not overhead lights that flash, it’s a solid red. There may be a blinking white, I don’t recall, but a blinking red, I mean a blinking white. So, I don’t recall if the forward red light was put on at any point, but I know we did…I don’t recall responding Code 3, and I wasn’t driver.

INV. AULET: So, was the reason that you were the first unit on-scene because you were so close to 24th and Folsom Street?

OFC. TIFFE: I believe so, yes.

INV. AULET: And since you were so close, did you anticipate being the first unit on-scene when you heard this first broadcast?

OFC. TIFFE: Yes. I believe there would be a possibility we’d be first on-scene.

INV. AULET: Could you activate, from the passenger seat, an emergency light in your unmarked vehicle? Yes or no?

OFC. TIFFE: I could, but it would not be, it wouldn’t

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be something you would do in practice. For example, in a marked vehicle, the red lights—now, I can't speak for the brand-new cars, but the cars I've been in most of my career, is on the center console. In the Crown Vics, there is a light switch that's activated near the steering wheel. So, I would have had to reach across the center console into the driver area, and I could have disrupted his driving. It is possible, but it would not be advisable.

INV. AULET: It is to the right side of the lap of your partner or to the left?

OFC. TIFFE: It is to the left side, if I remember correctly. Like I said, it's been a long time since I've been in the grey car.

INV. AULET: And is it on the center console?

OFC. TIFFE: No. It is actually on the dash.

INV. AULET: Is it something you recall doing, since you are concerned about disrupting his driving?

OFC. TIFFE: No. I would have not done that at all. But I was just answering your question, is it possible for me to do that? So, I tried to describe that, but I did not do that, no, and I would not do that, nor have I ever done that.

INV. AULET: Was there a particular reason why sirens and lights were not activated, since you were in an unmarked vehicle, and then you anticipated being the first one on-scene, given that you were so close?

OFC. TIFFE: No. There's no reason.

INV. AULET: Did you have the time to activate the siren and lights in this case?

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OFC. TIFFE: Sure, we had the time, yes.

INV. AULET: And again, you believe there was no particular reason for not doing so?

OFC. TIFFE: I can't speak to my partner, who would have activated it.

INV. AULET: Correct.

OFC. TIFFE: Yeah.

INV. AULET: I'm just asking you.

OFC. TIFFE: But we were close by. We didn't have, there would be no reason to do it.

INV. AULET: Okay. Did Officer Reboli say anything to you about not activating the siren during this response?

OFC. TIFFE: We did not have a conversation about activating the lights and siren.

INV. AULET: Did you have any conversation during those few blocks before reaching mid-block Folsom Street, what both of you were going to do if you were the first unit on scene? Yes or no?

OFC. TIFFE: We had limited conversation. I don't recall any conversation in regards to a plan, if that's what you're asking, no.

INV. AULET: What is your recollection of that limited conversation about?

OFC. TIFFE: Well, at one point, Officer Reboli saw both subjects first, and he alerted me to the subjects; they were out of my view. He was able to see them in the middle of the street, so he alerted me to that.

INV. AULET: Two in the middle of the street?

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OFC. TIFFE: He saw two subjects and he pointed them out to me.

INV. AULET: Are you sure it was not one?

OFC. TIFFE: I'm pretty sure he said there was two.

INV. AULET: Okay.

OFC. TIFFE: Initially, when he first made that statement.

INV. AULET: And before we get into those details, what were your intentions to respond expeditiously to this call in plainclothes?

OFC. TIFFE: What were my intentions? Well, I was, based on the call, my thought process was one man was trying to kill another. So, I was trying to stop that from happening.

INV. AULET: Did you intend to surprise the two subjects in this call by arriving without uniform, lights, or sirens activated?

OFC. TIFFE: No. The fact that I was not in uniform just was circumstance; that was my assignment that night. So, I could not, I didn't have the time to switch and put on a uniform. I will say typically, when we search for a subject, we won't activate our lights and sirens, but I think the fact that it was just an immediate decision. We were so close, within a matter of two blocks or so, we just made a decision to try to intervene in what we believed to be a violent felony in progress.

INV. AULET: And did you actually recall that you, quote, "Put your unit in the computer backing whichever marked unit was assigned to this call," end quote, as you stated during your voluntary statement to Homicide?

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OFC. TIFFE: I recall that statement, yes.

INV. AULET: And what does that entail?

OFC. TIFFE: I don't remember the format in 2015, because the computer formats often changed, but it's simply, there's an F-button that you would put. There's a couple of different ways to do it, but the most general one is you hit the F-button, and whatever unit that is already assigned to that call, the screen will prompt, and it will give you, you know. You just type in whatever unit is the primary or whatever unit is assigned, then the computer will assign you that call.

INV. AULET: But as a backup unit, because this call was not assigned to you, and you did not request to come up for it as the primary unit. Correct?

OFC. TIFFE: Correct.

INV. AULET: Okay. So, what I'm asking is, how would you actually activate, at that time, in this unmarked vehicle, two years and a few months ago, the 10-25 notification to Dispatch?

OFC. TIFFE: You would type it in manually in the computer system.

INV. AULET: Again, by hitting one of the F-buttons?

OFC. TIFFE: That is one way to do it. I don't recall which way. There's like two ways you can do it, and that way limits radio traffic, because when you have an A-priority such as this, where it's an active felony in-progress, you have a lot of radio traffic. And not only just Mission, you also have Bayview traffic, that's the two stations assigned to Channel A4. It's a Friday night, it's very busy. The best way to do things like that is let the radio be; just type it in. There's already

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units coming up for it that responded, got on the radio faster than me, so I just chose to put it in the computer.

INV. AULET: So, you don't recall your unit making a right turn from 25th Street? Is that what I heard earlier?

OFC. TIFFE: Like I said, I don't, to this day, I don't remember if it was from 25th or 26th?

INV. AULET: But your memory was it was a right turn?

OFC. TIFFE: It was definitely a right turn, yes.

INV. AULET: And what do you remember happened after that right turn onto Folsom Street? You mentioned earlier that your partner alerted you about two people, somewhere mid-block, on the street. Is that what I heard?

OFC. TIFFE: Yes.

INV. AULET: Do you recall what he actually said to you?

OFC. TIFFE: No.

INV. AULET: Did Officer Reboli alert you before you exited the unmarked vehicle that there were two guys on the east side running around, like they were chasing each other on the street?

OFC. TIFFE: At some point, did he tell me something to that?

INV. AULET: Before you exited the unmarked vehicle?

OFC. TIFFE: At some point, yes. That sound quite like the original thing he pointed out.

INV. AULET: Okay. And did Officer Reboli alert you that two guys were hovering near a parked car?

OFC. TIFFE: That was, I don't remember if he said that. He said, "There they are right there," and that was kind of my

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observation that they were hovering. Now, there's a little bit of timeframe difference from the original statement. We're turning on, my visibility is blocked because we're making a turn at that time, and it's dark. Right? When we're getting ready to just stop, that's when I see one guy, and eventually two guys, hovering.

INV. AULET: So hovering, that's a word that you used?

OFC. TIFFE: I probably used that word, yeah. He may have used that word, but I probably used that word too.

INV. AULET: So, what could you see as you're approaching that mid-block?

OFC. TIFFE: Because we're in constant motion, can you tell me at what point that you're asking?

INV. AULET: Before the vehicle stops.

OFC. TIFFE: Before my vehicle stops, I do not see them in the street. I do not see the subjects. Like he pointed them out to me and I'm looking, and I still don't recall seeing them. As we got closer, and I think our headlamps maybe illuminated, the first thing I see is one subject hovering near the driver's side, side view mirror. That's my first observation of either of the subjects.

INV. AULET: Could you see, at that point that you were describing, if the male in the driver's side had a knife in-hand?

OFC. TIFFE: I did not see a knife.

INV. AULET: And could you indicate why was it that you couldn't see whether or not he had a knife, or is that you're certain that you saw he didn't have one?

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OFC. TIFFE: No, I'm not certain that he didn't have one. I believe there's a possibility he could have.

INV. AULET: Was it because it was dark?

OFC. TIFFE: No, it was, the headlamps had illuminated; I can see him, but I can only see part of him. But another thing I'm concerned about is I'm looking for two people, so in that instant moment… Now, time happens rapid. I'm doing more than one thing. So, I'm seeing him and I'm also looking for the second person, because the call is one person chasing another.

INV. AULET: Again, before the car stops, since you also were looking for that second person, could you see that second person?

OFC. TIFFE: I did not see the second person prior to the car stopping.

INV. AULET: And was there anything else Officer Reboli said to you before he parked the unmarked vehicle, and both of you exited near the east sidewalk of 2857 Folsom Street?

OFC. TIFFE: We had a conversation; I don't recall at what point.

INV. AULET: At what point, but what about the content? Do you have any idea?

OFC. TIFFE: Yeah, I don't recall the content, is probably what I meant to say. We've been partners a very long time. We've had numerous…we've encountered so many things in our career, so we've had countless officer safety, countless tactical conversations. And the way this played out, it was very much, when we stopped the vehicle, very much like a traffic stop, where the subjects were located as to where we were

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located. For example, we're trained a specific way, and he's received the same training I did; we were in the Academy together. You handle a traffic stop—if you have a person in the driver's seat and a person in the passenger's seat, you approach that vehicle a certain way, and him and I have done this countless times throughout our career. There was a subject we see on the driver's side. My partner, Eric, is on the driver's side. It's natural for us. So, our tactical approach was, how we've discussed countless times in our career, he took the driver's side, I took the passenger's side.

INV. AULET: Okay. Do you see picture number ten here?

OFC. TIFFE: Yes.

INV. AULET: I'm handing it to you.

OFC. TIFFE: Thank you.

INV. AULET: Could you tell me how far from the blue Nissan approximately, would you say, your partner parked the unmarked vehicle? And the blue Nissan is the blue vehicle, number two, that has been used in your previous interviews with Homicide. As an ID, the vehicle in the back.

OFC. TIFFE: So, here?

INV. AULET: Yes.

OFC. TIFFE: Approximately a car length behind.

INV. AULET: It was not two car lengths behind the parked blue Nissan?

OFC. TIFFE: It's hard to determine. Yeah, I'm not sure.

INV. AULET: Could you see Amilcar Perez-Lopez from within the passenger seat?

OFC. TIFFE: I don't recall seeing him when I was seated

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in the passenger seat.

INV. AULET: But once you stepped out of the unmarked vehicle, did you see Amilcar Perez-Lopez on the east sidewalk?

OFC. TIFFE: What stands out in my mind, because I'm going by memory, is when I got out of the vehicle, yes.

INV. AULET: And what is your recollection of what you saw?

OFC. TIFFE: I saw Amilcar directly across from the other individual. He was hovering or leaning on the passenger side, near the side view mirror.

INV. AULET: On the rear portion of that car?

OFC. TIFFE: No, no, no. So, the side view mirror, next to the passenger side door.

INV. AULET: So, you were that further into the blue Nissan, mid-car?

OFC. TIFFE: Yes, sir. So, both of them were directly opposite of each other, near the side view mirrors, next to the front doors.

INV. AULET: Okay.

OFC. TIFFE: So, one subject near the driver’s side front door, and Amilcar next to the passenger front door.

INV. AULET: By the way, did you have your Star displayed throughout your shift while working in plainclothes, or did you have it inside your black windbreaker jacket that night?

OFC. TIFFE: When I work plainclothes, the only time I do not have my Star displayed, is when I'm in an undercover capacity that would require me to blend in. So, I do not recall,

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sitting here today, if at any time I had that, but I do not think so, that I was working as an undercover capacity, because that's not a normal routine thing. People often mistake plainclothes as an undercover unit. We drive a Crown Vic, and every person, I can say almost every person I've ever arrested, which has been a lot, knows that that Crown Vic is a police car. So, it's not like I'm in an undercover capacity like the movies depict. Have I done that in my career? On occasion, it's a rare chance. I'm in plainclothes, so I'm not as easily detected, but because I'm not easily detected, I always wear my Star out, because I have too much experience not to have it out. Does that clarify what I'm saying?

INV. AULET: But it doesn't answer my question. So, I'm going to ask it in a different way.

OFC. TIFFE: Okay.

INV. AULET: Did you pull your Star during this incident?

OFC. TIFFE: My Star was already displayed when I exited my car.

INV. AULET: Okay. And how was your Star displayed when you stepped out from the unmarked vehicle?

OFC. TIFFE: I thought you were going to show me something.

INV. AULET: Go ahead.

OFC. TIFFE: My Star would hang from a silver chain, and it would be mid-section.

INV. AULET: Is it as depicted on picture 100? Is that how exactly you had it displayed when you stepped out of the

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car?

OFC. TIFFE: Yes.

INV. AULET: For the record, it is displayed over your outer clothing, hanging from a chain, in front of your chest. Is that an accurate depiction of how you displayed your Star?

OFC. TIFFE: Yes, sir.

INV. AULET: Did the unmarked vehicle have its lights on when it came to a stop?

OFC. TIFFE: The overhead red light or the headlamps?

INV. AULET: No, the headlights.

OFC. TIFFE: I believe the headlights were on.

INV. AULET: But you're not sure?

OFC. TIFFE: Yeah, I'm not sure. I was not the one to turn them on and off, because I'm on the passenger side.

INV. AULET: But just to go back to something you said earlier, do you remember seeing [redacted] on the driver's side because the headlights illuminated him. Correct?

OFC. TIFFE: Yes.

INV. AULET: So, can you confirm that when the car came to a stop, the headlights were on?

OFC. TIFFE: I can't confirm whether or not my partner would have turned them off as he exited. I don't think that happened, but you know, it was illuminated, and as we're coming to a stop, the headlights were on. I didn't have a problem, and I know it was dark on Folsom, but I didn't really have a problem with the illumination so much. There's certain dark spots as you get closer to the houses. So, it may have been because there was a street lamp. It may have been because of the head lamps, but I

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never turned around and looked to see if the head lamps were still on.

INV. AULET: So, as you were describing earlier, seeing Amilcar Perez-Lopez on the right side of the blue Nissan, by the front passenger window.

OFC. TIFFE: Uh-huh?

INV. AULET: Can you tell me from that point what happened? Your perspective?

OFC. TIFFE: Yes. I was in constant motion walking towards him. I tried to get him to come away from the car. We looked at each other at some point. When I'm close to the car, we're looking right at each other. I've described this, and I've played it in my mind a million times, he had a very crazed look on his face. He's looking at me, but almost not, he's like through me. I don't know if I'm describing that well enough. I'm gesturing him. I'm trying to engage him in conversation. I announce myself as the police.

INV. AULET: What did you actually say?

OFC. TIFFE: I said, "Police." I believe—I often, and I believe I did this in this case, did very much like this, how I'm grabbing this, and I would be grabbing would be my Star.

INV. AULET: For the record, you're [copying] it from underneath by holding it, so that the person would look at what you're holding in your left hand?

OFC. TIFFE: Yes. I always practice it and do that when I'm communicating. I've very aware. I have a lot of plainclothes experience. Up until that point, I've worked plainclothes for approximately seven years, so I've been in a lot of encounters.

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So, to further my description of what's going on, I'm gesturing to step away. I'm indicating I'm the police. So, I'm telling him to step away from the car.

INV. AULET: Let me stop you for a second. Do you actually recall doing that that you did here with your hands?

OFC. TIFFE: Yes. I don't know if was right or left, but I remember gesturing at some point, and I'm always in motion.

INV. AULET: For the record, you were motioning with your left hand as if to come over towards me, or to get away from where you're at. Is that the motion that you were making with your left hand?

OFC. TIFFE: That's the motion I made to you, yes.

INV. AULET: That's what I'm asking. Were you doing that when you were approaching Amilcar?

OFC. TIFFE: Yes.

INV. AULET: Okay.

OFC. TIFFE: Like I said, I don't know left to right hand. Right?

INV. AULET: I understand.

OFC. TIFFE: Talking with you, I'm just talking with my hands.

INV. AULET: I understand. I just want to remind you that this is not a video, so it assists the listener and the transcribers when you put into the record what I just did, when you're describing your own physical motions. Please continue.

OFC. TIFFE: And at some point, he's looking at me. I get this strange feeling. I decide that my whole, our whole purpose is, I have one person… My whole mindset going into this

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is, I have one person chasing another with a knife. I need to separate them to make both parties safe. I need to secure the weapon, I need to find the weapon. My partner is dealing with one, so I have one. He may have the suspect, I may have the suspect. At some point, I'm not getting any interaction, and then I have this crazed look, and he's not following my directions. I decide to, as I'm closing the gap at some point, I said I need to move him away from the car. I got to see. So, as I get close to him, at some point, his left hand comes up, and I grab his left wrist.

INV. AULET: Does that mean that he was facing the street as you approach him?

OFC. TIFFE: I'll clarify. If this table is the car, he's leaning and then looking over his left shoulder towards my direction. And initially, my first recollection of seeing his face was eye-to-eye; we looked eye-to-eye. I can't tell you where I was when that happened because I'm in constant motion. I know I'm walking cautiously. I have a lot of things going on in my head, but I can see his left side, and as I close the gap, at some point, his left hand comes up. I know it does not have a knife, but I grab his, somewhere around his left wrist.

INV. AULET: Did I hear you say earlier that you were not getting any interaction?

OFC. TIFFE: If I said it…we'll, I'm obviously getting interaction; he's staring at me. If I used that word, I used that word incorrectly. I'm not getting any verbal response. He's looking at me, he's not responding to, verbally at least, or his physical actions, to my verbal commands or my non-verbal

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commands.

INV. AULET: And those were to come over?

OFC. TIFFE: Yes.

INV. AULET: Okay. Since both subjects were reported yelling to each other in Spanish, did you believe he understood your command?

OFC. TIFFE: Well, at that time, I don’t know, and I didn’t have the luxury of time to be able to play that out in my mind. So, the way that comes about in a split second is I have to take into consideration what I'm responding to. My partner’s not alerted to me that he’s found a knife yet, I haven’t found a knife yet. One person, in my mind, was trying to attack another with a knife, so I have to secure it. Obviously, as I already said on record here, dealing with limited English people, I have done that, in my personal life and in my professional life. I've really never encountered a problem. I've worked seven years in the Mission as plainclothes, I've never encountered a problem as not being able to identify myself as a police officer. Whether I was arrested someone who didn’t speak English or whether I was arresting someone, or dealing with a witness that speak limited English, I never really had a problem.

I do know I was having a problem, but I will tell you my mind frame was focused on his look. His look was a crazed look, and I believe at the moment he was either high, intoxicated, or he had, and I've described it and I don’t know if I'll ever be able to forget this, I wish I could, like blood lust craze.

INV. AULET: I'm glad you used those two words, because you used them in combination with Homicide, and I was trying to

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understand what does that mean in your mind, as you used that combination of those two words, four words—blood, lust, crazed look on his face. How is that different from the typical Latino who don't speak much English, but you encounter, arrest, or have to use force to place them into custody to this one?

OFC. TIFFE: I think the movies display it pretty well. All I can say is non-verbal communication is huge. I'm big on non-verbal communication. Verbal communication is also big in my book, but the way you're intent on something. His focus, his intensity, it's just like a competitor playing basketball. You can tell when someone's intent on doing something, how the determination on their face. I don't know what, all I can say is I've only seen this look, it was on Amilcar's face, a few times in my career. Most of the time that I have seen it, it had to do with when I have encountered an actual DV where I've had to separate the parties, where it was like an ongoing thing, not something had happened, there was time, and then I responded, but it was something where I responded and it was in-progress; I've seen that look and that determination. So, the best way to paint a picture for you is if you watched any type of sport and you see an athlete, and they're just determined to score a goal, shoot a hoop, to complete that pass, to rush…football is not a good example, because they've got helmets on. But whatever that athlete is, that look of determination, that they're just going to complete that task no matter what, and that still doesn't really compare of what I saw.

INV. AULET: And as you grabbed that left hand, what happened?

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OFC. TIFFE: I grabbed his left, I believe, wrist or forearm with my right hand. I grabbed like his outer clothing behind the neck, like shoulder area, and then I said again, "Get away from the car," and I started to move him away from the car.

INV. AULET: You mean to pull him?

OFC. TIFFE: Yeah, do pull him away. Do you want me to continue?

INV. AULET: Please.

OFC. TIFFE: Okay. It's a very large sidewalk, we're in constant motion. I'm moving away and in the Academy, we're taught certain instances, you're just going to have like this spider sense. You're going to have the hairs on your neck crawl. I've never really had that in my career, maybe until this moment. I've been in a lot of situations. I respond to a lot of knife calls, been in a lot of physical altercations, but in this moment, something told me I got to take him to the ground. I'm not a very physical, aggressive person. I've never been like in a lot of 148s, I'm more about communicating. I've made countless arrests in my seven-year plainclothes' career. I have had to, but for the most part, I'm not really an aggressive person.

But something told me in that moment, I've got to take him to the ground. So, I attempted to take him to the ground, and I told him, "Get on the ground." And as I did that, I bent him forward, but he countered what I tried to do. He took a step forward, and then he lunged up at me, and I still didn't see what his…he lunged up with his right hand. I didn't see what was in his hand, but I knew I had to disengage. It wasn't worth struggling to take him to the ground, so I pushed away from him.

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I jumped back and then he attempted to strike me. Something came across my chest and it was just so fast, I didn't see what it was until now, he's in front of me, and he's raising an object, and at that point, I see it's a large knife.

INV. AULET: And to approximately where, if you can simulate, did he raise that object?

OFC. TIFFE: It was like his face level. So, I'm like I'm holding my fist right now, around my shoulder area. Somewhere around like that.

INV. AULET: So, did you actually tell him to get on the ground? Is that the actual command that you told him, once you had him by the areas you described you had grabbed?

OFC. TIFFE: I don't remember the exact words. I definitely said, "Get on the ground," something to that. At that point, I had become, like I described, something alerted me—my instinct. I don't know. So, obviously I was probably very nervous at that point, I would say. Right? I felt something was going to happen. I felt like some, I don't even know, some bad feeling. So, I probably yelled, "Get on the ground." I don't know if I said the exact verbiage.

INV. AULET: And given the lack of response to your first initial command, and now you're providing the second command in English, "Get on the ground," do you still believe he understood your command in English the second time around?

OFC. TIFFE: I didn't have the luxury to debate. As I kind of answered your question already, I believed at some point, he didn't understand what was going on, but I based it on so many experiences. I've had countless experiences in my

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professional life, that I've dealt with witnesses, victims, suspects, who do not speak or speak limited English, and I'm always able to get to where I have to go. For example, if I have a witness that wants to report a crime, I'm able to at least get something where, okay, now I've got to call the Language Line, and or I've got to get a translator. Right? I can make some form of communication.

Like, okay, you recognize I'm the police, now I recognize that you're a witness, or I need to recognize that you're a victim. Okay. If you're a victim, are you hurt anywhere? Because there's things that trump getting the story. Right? If someone's bleeding out, I've got to be able to break those communication barriers. Right?

In my personal life, [redacted], limited-speaking English. They were both [redacted]. From the first time I met them, we were able to communicate, and eventually through the years, their English got better. I picked up little Spanish words. My [redacted], the same thing. She's, at one point, she was limited-speaking. [redacted], I'm able to communicate. Or I'm able to see they are cousins, they're visiting from their respective countries. That initial conversation, I can't talk to them like I'm speaking with you, but I'm able to break through.

That was not, I didn't really feel that. In this case, my thing was that he's intoxicated or he's high or blood lust. He's like looking through me. Now, if he like looked at me and recognized, and we had a connection, then I probably would have had the ability to, okay, maybe he's not understanding me

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because he's limited-speaking, or Spanish-speaking, or whatever the case. That wasn't. He was looking through me, there's like a difference, so that led me to believe of the intoxication level or the blood lust crazed thing. Right?

So, once again, it's like when I'm telling him to get on the ground, my training kicks in. I'm nervous, I feel like I'm in flight or fight mode, so my training is kicking in. "Get on the ground." When we're trained to like take people to the ground, we give them a command and we execute it, right, so that's why it kicked in, yeah.

INV. AULET: Let's talk about this. I think you said you spin him around to take him to the ground. I need to step forward to prevent you from doing that. What actual technique were you using? Was this a bar-arm takedown that you were doing?

OFC. TIFFE: Well, I had somewhat of a bar-arm takedown, because I had his left arm.

INV. AULET: Yes?

OFC. TIFFE: But my hand was on his shoulder, and my intent was not to take him down initially. So, it's not like I had a bar-arm set-up. Right? So, I had him…

INV. AULET: So, you didn't execute it?

OFC. TIFFE: I did not execute it, I just, when it flipped, I went from, "Let me take him away from the car to, uh, my God, I've got to get him on the ground." I didn't, you know, my intent was just to overpower him, and using, to put, I already had my hand, as I described, on his outermost clothing, back shoulder area, and I just used leverage, and just figured I'd take him down that way. And I just reacted, that's all I

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did.

INV. AULET: So, he took advantage of you not executing it and took a step forward, and it allowed him to stand up and take that swipe that you described?

OFC. TIFFE: Well, either way…I will say this. If I would have executed… The only difference between what I did and a bar-arm takedown is my right arm would hit his tricep, which would force him to go down. If I would have done that in this case, I probably would have been dead, if I'm going to Monday morning quarterback, because I wouldn't have executed it properly. Because he still can put that front leg forward to take it, and it's all about pain threshold. So, if he would have had pain threshold, I would have lost control of his body, and I would not have been able to disengage.

INV. AULET: So, that's when you pushed him?

OFC. TIFFE: Yes.

INV. AULET: I see.

OFC. TIFFE: So, I failed…

INV. AULET: Can you describe how you pushed him to separate yourself from him?

OFC. TIFFE: It's hard. He was coming up at me. I used his motion, and I just pushed back.

INV. AULET: For the record.

OFC. TIFFE: Yeah?

INV. AULET: You're pushing both of your arms forward.

OFC. TIFFE: I disengaged, I jumped back, and I pushed him. The only thing, what I had is, I'm sure my left hand did nothing, because it had his arm, but my right hand tried to push

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him away from me. But he was coming up, his momentum was coming up. I used his momentum and I just tried to get back.

INV. AULET: And again, you [sensed] that momentum from him coming, and that's why you pushed him?

OFC. TIFFE: Yes, it was kind of simultaneous, yeah.

INV. AULET: Okay. And what kind of distance did it provide you?

OFC. TIFFE: Not very much.

INV. AULET: Can you approximate in feet?

OFC. TIFFE: Probably like you and I, the distance between you and I. This is what, two to three feet?

INV. AULET: Okay. And could you see, at that point, what Amilcar was doing with his right hand?

OFC. TIFFE: After I disengaged?

INV. AULET: As you pushed him?

OFC. TIFFE: Yes, I saw his right hand coming up towards me, but my intent was to get away. So, his right hand came up towards my chest, came across my chest as I'm jumping back, and I knew he had something in his hand. I didn't recognize what it was until he was standing directly in front of me.

INV. AULET: Okay. Are you sure you didn't come out of the car with your weapon on your right hand already?

OFC. TIFFE: One-hundred percent sure.

INV. AULET: Okay. So, what happened after you see what he's holding in his right hand?

OFC. TIFFE: I drew my firearm.

INV. AULET: And then what happened?

OFC. TIFFE: I yelled at him to drop the knife.

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INV. AULET: Okay. And was he looking at you at that point?

OFC. TIFFE: At this point, there's a lot of movement going on. When I first drew the weapon, I was facing him, he was facing north. So, his right shoulder was facing me and I saw the knife. But after that, that's my first depiction, and that image will probably be burned in my brain forever. He's moving around after that.

INV. AULET: Are you saying he's facing north because of his continuum movement when he swiped at you the first time?

OFC. TIFFE: I don't know what caused him to be that way, but yeah, he's really close to me, the knife is in the air, I see it. When I first see the knife, now things have really slowed down, so I can't really testify to accurate time. Right? So, I have this burning image of him facing northbound with the knife in the air, and then from that moment on, he's moving around and things are happening.

INV. AULET: And before that slowing down in your mind, had you seen where your partner was?

OFC. TIFFE: No.

INV. AULET: At which point…

OFC. TIFFE: Well, I knew when we approached, but when I started the struggle with Amilcar, I didn't know, I just believed my partner was there. It wasn't a thought that came in my mind, I had my own thing going on. So, I do know, because we've been partners so long. I felt his presence at some point, prior to pulling my weapon, and I hear him too, but I don't know where he is. I'm focused on Amilcar, but I know that he is north

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of me, so to my right.

INV. AULET: On the sidewalk?

OFC. TIFFE: Yes.

INV. AULET: And what was it that you heard him saying, your partner?

OFC. TIFFE: At some point I heard him say, "Drop the knife." And it's to this day, I know, "Drop the knife, I'll shoot." I heard that and I don't know if that was my voice, I don't know if it was his. I know I was yelling. I believe I heard my partner yelling. So, at what point, I mean, I don't know.

INV. AULET: Was there anything else you were thinking at that time, when you already had your weapon drawn, and you see him facing north?

OFC. TIFFE: There's a lot of things going on in my head right there. I can spend quite a bit of time.

INV. AULET: Yeah, tell me.

OFC. TIFFE: Well, one. One thing going through my mind is what I'm responding to. I'm responding to one man chasing another with a knife, a violent felon. I'm thinking he's trying to kill someone. Now, he's just trying to kill me. So, I'm thinking this guy's full-blown, going to go through with it. But there's the human side of me. All I remember thinking is, "God, please make him drop the knife. I don't want to shoot." And even when I hear shots, and then he's moving around, it was strange. The movies will never get that right. I still didn't want to, and I'm like, "Please." I didn't understand.

Like I said, all this was a matter of seconds, but in my

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mind, it was ten minutes. And in my mind, I'm having this conversation with the Higher Power, or God, or however you want to say. Like, "Why? Why is this happening? Why can't you make him drop the knife?" And then, as he moves around, the knife is flowing in the air, I cannot describe how it was. Right? I see him go to the, he's like near the front of the blue car. He looks down at something, which I'm thinking, that's where the other guy was. "Uh, my God," I see the knife come up, and that's when I pulled the trigger.

INV. AULET: Do you remember doing it just once?

OFC. TIFFE: Yes.

INV. AULET: And as he's moving from where he swiped at you and faced north, in the time that you see him looking down, that you described as the front bumper of the blue Nissan, or actually in-between the two cars?

OFC. TIFFE: I can't recall. Like I said, he moved so much. I know he was near the front of the car when I pulled the trigger.

INV. AULET: So, you're not sure whether he's on the curb, down the street, or in-between the cars?

OFC. TIFFE: No, no, no, no, no. I'm sorry. He was definitely not on the curb. So, some portion in front of the car. Was he in the street? I don't know. He was definitely near driver's side, front bumper area.

INV. AULET: Okay. Before that, when he is, when you first see him facing north, and you don't know whether it was his momentum, as I described earlier, was there anything that you saw in that trajectory between him and your partner?

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OFC. TIFFE: What do you mean, his trajectory?

INV. AULET: Between the time that he misses, swiping at you, facing north.

OFC. TIFFE: Uh-huh?

INV. AULET: And the time that you actually shoot, when you are saying he is where you [didn't] describe where he was. Was there anything else that you saw between him and your partner happen?

OFC. TIFFE: Like people? Are you asking… what do you mean?

INV. AULET: Could you see your partner to your right, on the sidewalk?

OFC. TIFFE: Yeah, at some point I saw my partner. But I wasn't, I see him in peripheral, like I didn't look. Like I just made a looking motion at Mister Whelan. I didn't like look at him, but I, you know, just like I'm looking at you right now, and Mister Whelan is sitting to my right, I see in my peripheral. At some point I saw my partner, yes.

INV. AULET: And was there anything in particular that you saw Amilcar doing towards your partner?

OFC. TIFFE: I initially saw, very early on, before the shots, yeah, I saw Amilcar swipe with the knife in my partner's direction. And the knife moved, you know, from that point on, it was moving around.

INV. AULET: Was it similar to the movement he made toward you?

OFC. TIFFE: No. I think mine was an anomaly, because I had bent Amilcar up. I think there's a difference. If I'm

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standing upright, and I'm like slashing with the knife, as far as, and lunging with a knife, I think is a different type of movement. I think what Amilcar did towards me, I would describe it maybe wrongfully doing so, but a lunge. Like a stabbing motion, where as in, I think, with what I saw Amilcar doing henceforth, after I pulled my weapon, was like a slash.

INV. AULET: And did you see your partner, Officer Reboli standing back at any time on the sidewalk?

OFC. TIFFE: It was a lot of movement going on. I wasn't looking, I was focused on the knife.

INV. AULET: Can you tell me whether your partner was moving north, as if he was moving back and away, as Amilcar was moving forward in the north direction?

OFC. TIFFE: No. I can't testify any type of movement my partner was making, because I wasn't, as I described, I can see him at different intervals in and out of my peripheral, but I'm so focused on the knife. Like sitting here in a non-stressful situation, I can't tell you everything that Mister Whelan is doing.

INV. AULET: Okay.

OFC. TIFFE: You know? And that's kind of how I see my partner. He comes into view, he was out of view. There's a lot of motion going on, and I kind of have somewhat a tunnel vision. I'm even, now my stressors are up, so I don't have the luxury of what I have right now. I'm just, I see a large knife, and that's what can do damage, and so, that's what I'm looking at.

INV. AULET: And speaking about those emotions, once you have your weapon out, were you committed to shoot, or were you

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still thinking, "God, let him drop that knife," so that you wouldn't have to shoot him?

OFC. TIFFE: I think I described it pretty well. I didn't want to shoot, Mister Aulet.

INV. AULET: But you didn't know where [redacted] was on the other side of the car?

OFC. TIFFE: I did not know, yes.

INV. AULET: Okay.

OFC. TIFFE: And as I also tried to describe to you, responded to a call. One person's chasing the other with a knife. Have I been to that call in the Mission several times? Yes. Have there been times where it's been legit? Yes. Have there been times where there was not even a knife involved and it was a stick? Yes. But this played out differently. This played out that someone was intent. Some by passer called and described an event taking place. I get there, it's settled, then it escalates again. It escalates to the point where that knife is now tried to come at me. And then we're giving, when we're saying, "Drop the knife. Shoot," the knife is still flowing and danger. Right?

When I heard shots, I heard shots. I didn't see him fall like you would think. I've never been in an officer involved shooting. I know in the movies, when you shoot someone, they fall. It didn't happen here, he kept moving. And at some point, now he's in front of the car, he's in the area that I last saw the other person, right, and the knife came in the air. I believe he was intent to finish what he started, this whole chain of events. So, that led me to pull the trigger.

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Up until that point, I debated. I didn't want to. And you can even say maybe I was scared to, you know? I signed up this job to do a job, and to preserve life, serve the community, protect property, all these things, but until you're faced with certain things, those are difficult things to do. To take a life, you know? That wasn't my intent. My intent was to end the threat, but it obviously, when bullets fly, they do damage, and that's always a possibility. So, I had to live with it, and that action to live with it is, I believe, that he was intent on taking out what he was focused on. And though I did not see that subject, I believed he was there, because that's his last location, and Amilcar was focused on something, when that knife came up the last time.

INV. AULET: Given what you just said right now, this lengthy description of where he was when you decided to make that final decision to pull the trigger, did you feel that at that point, that your partner was no longer in danger? That Amilcar had already passed him and he was in another direction?

OFC. TIFFE: No. I think that everyone was in danger. You had someone… Another thing I didn't know is if the shots missed, because once again, we grew up in this TV world, and when people shoot, they fall. I heard shots, and thought it's weird, because in my mind it's like ten minutes, but in reality, it's a matter of seconds. So, that's probably why the way it was maybe? I don't know. But he's moving. You have someone with a knife, they can close the distance rather quickly. So, I didn't know if my partner missed, and now I have this person running around with a knife. So, he's still within, I don't know, seven

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feet of me, or I don't know, maybe even less. He's seven feet of my partner approximate, because I don't know exactly where he is. I think we're all still in danger.

INV. AULET: He, you're meaning [redacted]?

OFC. TIFFE: I'm sorry, Amilcar. Amilcar has the knife. He's, I don't know if my partner missed him, he's moving. That's what I'm trying to say.

INV. AULET: You didn't know whether he was going to turn back from where he was moving?

OFC. TIFFE: Yeah, correct. I was already, I believed I was already attacked. He took a slash in my partner's direction. I think that he was intent on attacking [redacted]. If I didn't shoot, could he have attacked [redacted]? Came back around, finished off my partner and I as we changed magazines, that could happen. So, I'm not willing to rule out my partner was safe at that moment. No one was safe, the threat existed. He had the knife, he was moving. I didn't know if he was hit or not.

INV. AULET: You recall describing that after you saw Amilcar fall to the ground and was not moving, that you felt like everything was moving in slow motion?

OFC. TIFFE: Yes.

INV. AULET: So, your slow motion, in your mind, was actually shortly after you drew your weapon, now when Amilcar fell to the ground. Correct?

OFC. TIFFE: In both times, yeah.

INV. AULET: Okay.

OFC. TIFFE: In both times, until I, you know, like I tried to say out of body experience. That's probably like an

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exaggeration of what it felt like. It's just when time slows down, it's just so weird of a feeling. And I think the time slowed down from the moment I…I can't even say when. At some point, it could have been when Amilcar attacked me. It could have been when my, you know, obviously when my gun was out. I described it, because I'm having these conversations in my head.

INV. AULET: Okay. And was [redacted] to the right on the sidewalk as you passed, to take a look at Amilcar on the ground in-between the two cars?

OFC. TIFFE: I only saw [redacted] after the shooting, really briefly. I believe like he was in the street, hovered down near the rear of the car.

INV. AULET: So, he was not on the sidewalk as you passed by?

OFC. TIFFE: I don't remember seeing him on the sidewalk. I could have like later that night. I wasn't there very much long after. Could I have passed him and not even saw? Yeah, I could have.

INV. AULET: And when you went to look at [redacted] in-between the two cars to notice that he was not moving, did you see when Officer Reboli handcuffed Amilcar behind his back?

OFC. TIFFE: I think at some point, I see. My memory is kind of [joggled]. I see at some point, I don't know when I did. After the incident, I look over, I see he's lying there. I try to get on the radio. I try to broadcast, I think, and go on the radio. And then some other events happened, so you know.

INV. AULET: All I'm trying to figure out is, if instead of going forward, north, I make a left in-between the two cars.

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When you saw that he was not moving, whether you had instead gone behind the vehicle, go by the driver's side by the street, saw [redacted] down on the ground by the [rear side], as you described, and then continued forward to see that Amilcar was not moving. Can you tell me which of the two sides of the car that you…

OFC. TIFFE: I don't even know. I understand your question. Yeah, I don't know. I was on the sidewalk and I tried to broadcast on the radio. I can see Amilcar lying down, and then I don't really know too many of my movements from there that I remember.

INV. AULET: To that, is it correct that you moved forward?

OFC. TIFFE: I could have, I don't recall.

INV. AULET: From the sidewalk to see in-between the two cars?

OFC. TIFFE: I may have already been there, I may have moved. I don't recall my movements, so sorry, I can't help there.

INV. AULET: And did you get on the air after both of your discharges, meaning you and your partner's?

OFC. TIFFE: I attempted to.

INV. AULET: Tell me about it.

OFC. TIFFE: There was a lot of radio traffic.

INV. AULET: Did you feel an obligation to go on the air, to broadcast that shots were fired?

OFC. TIFFE: Yes.

INV. AULET: Was it possible that you instead, heard

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Officer Domonique Ellis and Joshua Cabillo broadcast, "Shots fired"?

OFC. TIFFE: I know I attempted to get on the air. I remember thinking at the moment, I thought that I was unsuccessful, and then I had a weird experience with my radio. So, I don't know if I was successful. I keyed my mic and I tried to get some words out. I know I tried to say shots fired, after that, I don't know what I tried to say, and then I remember thinking like, "What's going on with my radio?" I looked down and I see a radio on the floor.

INV. AULET: Where?

OFC. TIFFE: So, when I'm standing. I'm standing, I'm trying to broadcast.

INV. AULET: Are you standing on the sidewalk or on the street at that point?

OFC. TIFFE: I'm on the sidewalk, and I'm trying to broadcast, and at some point, I see a radio on the ground. I later learned, I thought that at some point, initially, I remember thinking right there that I think maybe Amilcar, in the process of trying to stab me, did he cut my cord? That was just a weird thing that I thought, because it was not the case. It was actually Officer Reboli's radio that during this…I later learned it was Officer Reboli's radio. During the scuffle, it fell out. But in the moment, I remember thinking, "Why is my radio on the ground?" because my stress level is so high.

INV. AULET: Is that what you grabbed? The mic that was on the floor?

OFC. TIFFE: No, no, no. No, no, no. So, I grabbed my

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mic, and my radio was on my person, but when I'm keying…

INV. AULET: Okay. Let me stop you for a second. Let's start from, where was your radio? Because you were pictured numerous times, and your radio on picture 101, shows that it's on your rear pants pocket, and your mic is on your left front pocket. Is that how your PIC radio was when you were out of the car?

OFC. TIFFE: Yes.

INV. AULET: Okay. So, you grabbed it with your left hand or your right hand to key it in?

OFC. TIFFE: I don't remember what hand I grabbed it.

INV. AULET: Do you recall reholstering your weapon?

OFC. TIFFE: Yes.

INV. AULET: And did you do that before or after you tried to key in the mic?

OFC. TIFFE: Before.

INV. AULET: Okay. And with what, with which hand do you usually transmit, when you want to broadcast from your PIC radio?

OFC. TIFFE: Usually, it's left hand.

INV. AULET: Okay. And so, did you pull it forward with your left hand when you grabbed your mic, to come up to the [unintelligible]?

OFC. TIFFE: I don't know. All I know is I brought the mic to my mouth, and I tried to, and I keyed the mic, and I tried to broadcast.

INV. AULET: And what makes you think that it was not broadcasting?

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OFC. TIFFE: There's like, when you have multiple people on the air, there's like a, I don't even know. It's like the new radios, it's not even a sound. It's like, I don't know. It's kind of like a dead tone. I don't even know how to describe it.

INV. AULET: But that's because we have to wait until you transmit. Correct?

OFC. TIFFE: Yeah.

INV. AULET: Do you think you were so anxious and nervous and shocked that you grabbed it like the old ones, and went to transmit right away, rather than waiting that second that keys in for you to speak?

OFC. TIFFE: It's tough to say. That's a very good question, and it's a possibility.

INV. AULET: Yeah. But why is it that you think it did not broadcast? Do you typically hear yourself in other radios nearby?

OFC. TIFFE: Well, yeah, if there's other radios nearby you would, and like their mic is exposed, you would hear. But there wasn't no one near me.

INV. AULET: Except the radio from Officer Reboli that was in front of you on the sidewalk?

OFC. TIFFE: Yes.

INV. AULET: And that's not just one part, but both parts together?

OFC. TIFFE: His radio did not have, as you see in the picture right there, that picture shows a mic attached to a cord that goes to the radio.

INV. AULET: For the record, 101. Go ahead.

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OFC. TIFFE: Okay, yeah. His radio, now you can take off the mic and the cord, and you can use it as a handheld. So, what I was looking at was a handheld.

INV. AULET: So, his mic was disconnected from his PIC radio?

OFC. TIFFE: Yes.

INV. AULET: I see, okay. So, what did you do once you saw it on the ground?

OFC. TIFFE: I just remember thinking like, "Uh, my God. That's, why is my radio on the ground?" And then I patted myself down, like, "Uh, that's not my radio." It was just like a quick thing I did. Like, "Uh, that's not my radio," and then I just kind of moved on.

INV. AULET: So, your PIC radio microphone, in fact, was not disconnected?

OFC. TIFFE: Correct. It's just some weird thought that came in my head.

INV. AULET: And what did you see Officer Reboli do after the discharges?

OFC. TIFFE: You can hear sirens, officers are arriving on-scene. He went to the middle of the street. He was, you know, he was like, we were trying to focus each other. He looked a little surprised. I don't know if he was surprised to see me, whatnot, but he was like, "Put it on the radio. Put it on the radio." And then I tried to put it on the radio, then my focus was on putting it on the radio. I was trying to, I looked up, I was trying to get the exact address. So, I really wasn't paying attention to him. I'm looking for the exact address. I was, I

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know I said shots fired while looking for the address, and then I remember like officers getting on the air, and calling things out. I'm like, okay, now I can just stop. I remember hearing, "Blue on blue," right? And blue on blue is basically other officers, letting them, you know, watch where your muzzle is pointed. You don't want to point it at another officer. Right? So I heard that.

INV. AULET: And did you hear that before or after you saw Officer Joshua Cabillo on-scene?

OFC. TIFFE: I heard that pretty early on. So, I don't think I had seen anyone at that point. I could be mistaken, but I don't think I seen anyone prior to that. Or I might have saw someone across the street. I do have a memory of an officer across the street, right, arriving on-scene. I just don't, I can't tell you at what point. Did I see that person before I heard blue on blue or after?

INV. AULET: Was it the female voice of Officer Ellis, the one you heard saying that, "Blue on blue"?

OFC. TIFFE: I don't recall like if it was a male or female.

INV. AULET: And when you actually made contact with those people who were across the street, on the west sidewalk of Folsom, was it Joshua Cabillo?

OFC. TIFFE: The only officers…there was a lot of officers there. The only ones that will stand out in my mind was Officer Josh Cabillo, Officer Joe Obidi. I remember seeing Officer Mike Mayo from a distance, and then the person who transported me obviously, and then Sergeant Montoya.

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INV. AULET: Those were the only four people you can actually visualize today?

OFC. TIFFE: Yes.

INV. AULET: Okay.

OFC. TIFFE: Like I know there's a lot of officers there, but one, you have to realize, I was taken away rather quickly.

INV. AULET: How quickly after?

OFC. TIFFE: Like for example, I told an officer, "Put up some crime scene tape." To this day, I don't even know who I said that to.

INV. AULET: All right.

OFC. TIFFE: And it could be someone that I know every day.

INV. AULET: I just want to take you slowly.

OFC. TIFFE: Uh-huh.

INV. AULET: From the moment you heard, "blue on blue," because I recognize what you're going through, but I want to distinguish what you can help me happening from that point forward.

OFC. TIFFE: Okay.

INV. AULET: So, after hearing, "blue on blue," did you or did you not see Officer Cabillo across the street?

OFC. TIFFE: Yeah. I don't remember seeing Officer Cabillo across the street. Like I said, I seen an officer, but I don't remember who that was.

INV. AULET: Okay.

OFC. TIFFE: It could have been him.

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INV. AULET: So, Officer Cabillo moved into the middle of the street, where he described both you and your partner standing over the subject with your weapons out. Did you see Officer Cabillo calling out at both of you, and asking you, "What happened?"

OFC. TIFFE: I do have a vague memory. I don't remember what happened. I just remember, I want to say, "Are you okay?" But I can't really testify. Now that you say that, I did not remember it on my own. I do remember like him saying something.

INV. AULET: Did you or your partner respond to him?

OFC. TIFFE: Yeah, I don't remember.

INV. AULET: Okay.

OFC. TIFFE: If it was, it wasn't like, "Tell me what happened," li I gave details. It would be more like, "Are you okay?" And I might have said, "Yeah, I'm okay." Or "Were you involved?" I might have said, "Yeah, I'm involved."

INV. AULET: But you don't have a specific recollection of this, do you?

OFC. TIFFE: I don't, no. And whatever, I only remember it because you said it, and then I remember him saying something, and it's just like very vague and very basic. It's not, you know, it's not nothing of importance, that's why I don't…or even if it was, for some reason, I just don't remember.

INV. AULET: Well, he doesn't remember you or your partner responding, just both of you had a stare look, like in shock. But you said to Homicide and you remember, like you remember here today, telling someone to put up some crime scene tape, but you don't remember who.

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OFC. TIFFE: No.

INV. AULET: And that's just protocol, not that important to any of us, but it's something you knew was supposed to happen.

OFC. TIFFE: Yeah.

INV. AULET: Okay. Was it possibly Officer Cabillo that you were addressing, even though you don't recognize him asking both of you?

OFC. TIFFE: As far as telling him to put up the crime scene tape?

INV. AULET: To put up the crime scene tape.

OFC. TIFFE: I couldn't say. I don't think so.

INV. AULET: Yeah. Did you see any officer giving CPR to Amilcar?

OFC. TIFFE: I did, yes.

INV. AULET: Was that Officer Joseph Obidi?

OFC. TIFFE: I believe, I believe so.

INV. AULET: And at that point, were you in the middle of the street?

OFC. TIFFE: I was somewhere in the street, I don't really remember where.

INV. AULET: And you indicated that your partner was also in the middle of the street?

OFC. TIFFE: Yes.

INV. AULET: And is that when you were able to distinguish where [redacted] was?

OFC. TIFFE: That's hard to say, I don't remember at what point where he was.

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INV. AULET: Did Amilcar Perez-Lopez, did he drop the knife before your discharges?

OFC. TIFFE: Absolutely not.

INV. AULET: Was Amilcar in-between the two parked cars when you saw that he was not moving?

ATTY WHELAN: You mean not moving on the ground? Do you understand the question?

OFC. TIFFE: Well, in-between the two cars is kind of vague. I think a part of his portion was, but I think some of it was, some part of him was in the street to.

INV. AULET: Does SFPD CSI picture 39 accurately depict the location where you saw Amilcar drop to the ground?

OFC. TIFFE: Yes.

INV. AULET: And where did you see the knife in relation to the body of Amilcar, if you saw it?

ATTY WHELAN: When? At what point in time?

OFC. TIFFE: Yeah, if you can just…

INV. AULET: At the time that you went and you discovered that he was not moving.

OFC. TIFFE: So, the first and only time I saw the knife, after the fact, when he was moving around with it, it was in the street just a little bit from him.

INV. AULET: And you mentioned Officer Michael Mayo earlier. Did you see Officer Mayo near Officer Obidi when you say Officer Obidi applying chest compressions on Amilcar?

OFC. TIFFE: When I did? No, I didn't see.

INV. AULET: What did you see Officer Mayo doing, if you in fact, saw him on-scene?

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OFC. TIFFE: I just saw him in the distance. I want to say, I couldn't say, I couldn't attest to what he was doing. I believed that he was canvassing for witnesses. I saw a lot of officers moving about, and I only can say that because I know what happens at crime scenes, because I've been to a million.

INV. AULET: Okay. Earlier you said that you were taken away rather quickly.

OFC. TIFFE: Yes.

INV. AULET: What did you mean by that?

OFC. TIFFE: So, relatively quickly, Sergeant Montoya came on-scene. He's taking charge, and he asked if we were involved, and then he asked, you know, the public safety questions, "Did you shoot?" "Yes, I did." "What direction?"

INV. AULET: Where did he take your public safety statement, if he was the one who took you quickly away?

OFC. TIFFE: Just away from everyone, all on-scene.

INV. AULET: Was it on the west sidewalk that he took you?

OFC. TIFFE: I don't recall if I was on the sidewalk or in the street, he just pulled us aside. I want to say, I don't even remember if he, I'm pretty sure he asked me individually. Right? And then he just told me, "Hey, just wait, wait here. I'm going to get someone to take you back to the station." I said okay.

INV. AULET: So, you don't know whether it was on the same sidewalk where you first saw, from where you saw Amilcar on the ground, which is the east sidewalk, whether he took you away to the west sidewalk or to the same sidewalk? You can't tell me

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which side of the street you were taken to?

OFC. TIFFE: I don’t recall being on the west sidewalk at all.

INV. AULET: Okay.

OFC. TIFFE: It was so long ago, but no memory do I have of me being on the west sidewalk.

INV. AULET: And when Sergeant Montoya asked you in what direction did you shoot, what did you say, and how did you simulate that direction, so that he would understand the direction that you discharged?

OFC. TIFFE: I don’t recall what words I used. He asked me if I shot, I said I did. I don’t remember all of the questions he asked, but direction being one. I said, I probably just pointed there. I said I was over here, and I pointed in that direction, because I wanted him to be sure. At the time…[I'm] sitting in a non-stressful situation right now, I can tell you I shot in the direction of west, but I don’t know if I would have been able to do that in that moment. So, I just know I articulated in some way, I was over here and I shot in that direction, because I know why that question is asked, so I knew it was a very important question, and it’s a very important answer. I just don’t know how I described to him.

INV. AULET: Do you remember moving back onto the east sidewalk so that Sergeant Montoya would understand which direction you were referring to when you were simulating or pointing to?

OFC. TIFFE: My time with Sergeant Montoya very, very vague in my mind. So, if he would have done that, I don’t

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remember doing that. I just, I can only imagine that I probably wasn't very good at answering his questions in that moment, so I can see him doing that. But I don't remember that.

INV. AULET: And it is your recollection that very shortly after completing your public safety statement answers that you were taken away to the station, or was there something else that happened before you were taken away?

OFC. TIFFE: Briefly after that, he told me to go wait and he…

INV. AULET: He, meaning Sergeant Montoya?

OFC. TIFFE: Yeah. Sergeant Montoya said either…I don't know. I can't verbatim, I can't say. Basically, he's like, "I need to get you to the station. You guys will be driven separately." He just explained me the process, and I waited a very brief amount of time, and then I was taken away; an officer drove me.

INV. AULET: Did Sergeant Montoya separate from you during that brief moment of time, before someone came over to get you?

OFC. TIFFE: Did he separate?

INV. AULET: Physically, yes.

OFC. TIFFE: I don't, like he had to move me? Is that what you're asking?

INV. AULET: No. Did he separate from you physically?

OFC. TIFFE: Uh, sorry. Sorry.

INV. AULET: Before someone else came over to get you to sequester you?

OFC. TIFFE: I don't remember. I don't remember if he

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just stayed there and he got on the radio or… Yeah, sorry. I don't remember.

INV. AULET: Do you know the officer who transported you to the station?

OFC. TIFFE: I can picture his face. He has a hyphenated name, and it's…yeah. Even if I saw it in front of me, I, if somebody pronounced it, I would know what is was, but I don't think I would even be able to pronounce it.

INV. AULET: Did you hear Sergeant Montoya give any commands to any officers to transport you or your partner to the station?

OFC. TIFFE: I could have, it doesn't stand out in my memory.

INV. AULET: Do you know Sergeant Michael Petuya?

OFC. TIFFE: I do know Sergeant Michael Petuya.

INV. AULET: Did you see him on-scene?

OFC. TIFFE: I did not. I don't remember seeing him. He could have been there, and I might have saw him, but I don't think I had any interaction with him.

INV. AULET: Did you hear Sergeant Petuya give direction to two officers to transport you or your partner to the station?

OFC. TIFFE: No, I don't know [inaudible].

INV. AULET: So, you have no recollection of hearing any sergeant giving any officers directions to sequester both of you. Is that what I hear?

OFC. TIFFE: Yeah. I don't recall that.

INV. AULET: What happened with your unmarked silver Crown Victoria?

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OFC. TIFFE: I'm not sure.

INV. AULET: Was it left double-parked in the northbound direction, somewhere behind the blue Nissan?

ATTY WHELAN: He wouldn't know, he left the scene.

OFC. TIFFE: Yeah.

ATTY WHELAN: Too quickly.

OFC. TIFFE: Yeah, I don't know what happened.

ATTY WHELAN: Unless you know, unless somebody told you later, or you saw it later.

INV. AULET: We're going to get into that. So, according to your statement to Homicide, you said that your vehicle was parked with plenty of distance behind there. Meaning, the car that both subjects used to separate from each other and your vehicle. Now, Officer Silvestri transported your partner, Officer Reboli, from the scene back to Mission Station, in marked radio car BW051. Do you know if that's correct?

OFC. TIFFE: I have no idea.

INV. AULET: Did you see your partner getting into a marked vehicle?

OFC. TIFFE: No.

INV. AULET: Officer Lewin-Tankel is the one who transported you from Folsom back to the station.

OFC. TIFFE: Yes.

INV. AULET: Is that correct?

OFC. TIFFE: Yes.

INV. AULET: Okay. In which vehicle were you transported to the station?

OFC. TIFFE: I don't remember.

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INV. AULET: Was it a marked vehicle?

OFC. TIFFE: It could have been.

INV. AULET: Could it, could it have been your unmarked vehicle?

OFC. TIFFE: Uh, I guess it's a possibility, I don't know. I don't remember.

INV. AULET: Do you remember being in the front seat or the back seat of that car, whichever was it that transported you to the station?

OFC. TIFFE: I was, when I was transported, I was sitting in the front seat. Whatever car I was in, I was in the front seat.

INV. AULET: And you didn't recognize it as your unmarked vehicle?

ATTY WHELAN: He's answered that question a few times already.

OFC. TIFFE: Yeah, I had so much going on in my head, I didn't…

INV. AULET: Did you have any conversation with Officer Lewin-Tankel while you were being transported to the station?

OFC. TIFFE: I don't think I had any conversation with him.

INV. AULET: Did Officer Lewin-Tankel kept you from coming in contact with any witnesses or officers until CSI Officer Nibungco arrived with Officer Shakur to photograph you?

OFC. TIFFE: Yeah, he stayed with me.

INV. AULET: And did he prevent you from coming in contact with other officers while you were in the station? Yes

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or no?

OFC. TIFFE: Yes, yes.

INV. AULET: Okay. Pictures 99, 100, 101, 102, 103, 104, 105, 106, seem to all be in the same location. It looks like you were just moved around, if you can look at them. Were you sequestered in the sergeant's office?

OFC. TIFFE: No. I was…where was I at? I'm pretty sure that I'm, I thought that I was in the DUI room. So, if you're familiar with Mission Station?

INV. AULET: Where the involuntary blood draw is done?

OFC. TIFFE: Yes.

INV. AULET: Okay.

OFC. TIFFE: I'm pretty sure that's where I was at.

INV. AULET: All the time?

OFC. TIFFE: Wherever I was at, I was there for man, a long, long time.

INV. AULET: Do you know Sergeant Anthony Ravano from the Homicide Detail?

OFC. TIFFE: I do, yes.

INV. AULET: Did you hear Sergeant Ravano, or either of the CSI officers at Mission Station photographing you, talking about your unmarked vehicle while in the station?

OFC. TIFFE: No.

INV. AULET: Did anyone question you about your unmarked vehicle?

OFC. TIFFE: I don't recall if…

INV. AULET: At the station?

OFC. TIFFE: Yeah, at the station? I don't think so.

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INV. AULET: Did you tell anyone who moved your unmarked vehicle to Mission Station parking lot?

OFC. TIFFE: Did I ask…are you saying if I asked anyone who moved it?

INV. AULET: No. Please listen carefully. Did you tell anyone who had moved your unmarked vehicle to Mission Station parking lot?

ATTY WHELAN: That, that's not a fair question. If you understand it, you can answer it.

OFC. TIFFE: I don't, I don't remember making any inquiries about my car, my unmarked car.

INV. AULET: Or if you knew then, telling who had moved your car to the station?

OFC. TIFFE: I'm sorry. I don't understand what you're…I'm trying to be helpful, and I want to help like answer your questions. I just don't understand like what you're saying.

INV. AULET: Your vehicle was photographed at Mission Station in the parking lot.

ATTY WHELAN: When?

OFC. TIFFE: Okay. I see that picture, so?

INV. AULET: So, somehow it got from the crime scene to the Mission Station.

OFC. TIFFE: Okay.

INV. AULET: And when CSI was photographing it, the location of the crime scene, your vehicle wasn't there.

OFC. TIFFE: Okay.

INV. AULET: Do you see picture number ten?

OFC. TIFFE: Yes.

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INV. AULET: It's not there. So, how did it get to the station? Do you know? Did you know? When you were in the station, did you know how it got from Point A to Point B? And that's why I phrased my question, did you tell anyone who had moved your unmarked vehicle to Mission Station parking lot?

OFC. TIFFE: No. I don't, I didn't have a conversation about it. I don't recall any conversation about my car.

INV. AULET: Okay. And that's why I asked earlier if it was possible that you were transported in your unmarked vehicle from the scene?

OFC. TIFFE: Okay. Yeah, I understand why you asked that, but I…

INV. AULET: So, I'm going to show you again picture 113.

OFC. TIFFE: Uh-huh.

INV. AULET: So you can see where it is parked here. Despite what you were going through that morning, or that late evening, early morning, and does the location that this vehicle was parked, do you remember being...

ATTY WHELAN: He can't tell where it's parked, and you're asking the same question over and over again, which is bordering on harassment.

INV. AULET: Could you let me finish the question?

ATTY WHELAN: You're asking the same question over and over again. Yes, sir. [Inaudible.]

INV. AULET: So, by looking at pictures 113 and 114.

OFC. TIFFE: Uh-huh?

INV. AULET: Which shows another part of the vehicle and

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a portion of the parking lot.

OFC. TIFFE: Yes.

INV. AULET: And 115, which shows another portion of the parking lot.

OFC. TIFFE: Uh-huh?

INV. AULET: Do you remember coming out of…and picture 116, yet another side of the car and a portion of the parking lot, and 117. Do you recall coming out of that car when you arrived to Mission Station?

OFC. TIFFE: Yeah. I don't recall what, I have no, I didn't take those pictures. I don't, that does look like Mission Station. I don't recall what car I was in. Those photos don't help me, to stir my memory. Like I was going through, you know, my own thing at that point.

INV. AULET: Do you remember if the car that you came out of when you arrived to Mission Station, was parked in the parking lot?

OFC. TIFFE: Yeah, they parked in the parking lot. Yes. So, he drove me to the parking lot, and we got out and we walked.

INV. AULET: Through the sally port, through the front lobby, or through the rear office?

OFC. TIFFE: I have no memory of how I entered Mission Station, but I can't see why I went into the sally port. We wouldn't enter the sally port area.

INV. AULET: Because that is restricted for prisoners?

OFC. TIFFE: Yes.

INV. AULET: Do you remember you stating that you were a

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long time in the station?

OFC. TIFFE: Yeah, it felt like a long time.

ATTY WHELAN: Do you mean just now?

INV. AULET: A little while ago.

ATTY WHELAN: Yeah, right.

INV. AULET: Can you state what happened in the room you were in between 2210 hours and 0310 in the morning?

OFC. TIFFE: A lot, a lot happened. I met Mister Whelan for the first time, you know, Command Staff came and checked on my well-being.

ATTY WHELAN: The Chief came by.

OFC. TIFFE: Yeah, Chief was there, asked if I was okay, if I needed anything. There's a CIRT member. When you go through any traumatic experience, they have a CIRT member. So, yeah, there was people checking on my well-being. At some point, I was taken back to the scene, right, so it wasn't the night I thought it was going to be. I thought it was going to be like a 24-hour night, but it was still quite a length of time.

INV. AULET: Do you know why you returned to the crime scene?

OFC. TIFFE: They wanted to do, I don't know what they call it.

INV. AULET: Who is they?

OFC. TIFFE: The Homicide investigators.

INV. AULET: So, it was their idea to return to the scene?

OFC. TIFFE: Yes.

INV. AULET: And it was to do a walkthrough with you?

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OFC. TIFFE: Yes.

INV. AULET: In the presence of your attorney?

OFC. TIFFE: I believe Mister Whelan was there.

INV. AULET: And was it Sergeant Ravano?

OFC. TIFFE: I think it was Sergeant Ravano, yes.

INV. AULET: Was it Sergeant Dedet, Daniel Dedet?

OFC. TIFFE: Yes.

INV. AULET: Was Sergeant Canning there too?

OFC. TIFFE: I don’t remember.

INV. AULET: How about Sergeant Levy?

OFC. TIFFE: I don’t remember either. I know Sergeant Canning. Could I have seen him that night? Maybe, I just don’t remember.

INV. AULET: Was there a female also in that group that returned with you to the crime scene?

OFC. TIFFE: Maybe, I'm not sure.

INV. AULET: Do you know Sergeant Mary Dunnigan?

OFC. TIFFE: I know Sergeant Mary Dunnigan, yes.

INV. AULET: Okay. She worked with BSU?

OFC. TIFFE: I don’t know where she’s at now or if she still does it, but for a long time, yeah. A lot of my career, my thirteen-year career she’s worked at BSU.

INV. AULET: Do you remember if she was the one who returned with you to the scene?

OFC. TIFFE: I don’t remember.

INV. AULET: And when you went back to the scene, did you see the knife on the ground by Amilcar?

OFC. TIFFE: I don’t remember if I did or not.

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INV. AULET: I'm coming back to the scene right after the shooting, seconds after the shooting.

OFC. TIFFE: Uh-huh.

INV. AULET: Picture number 37 has a marking, eight, with a manila envelope over something. It is the knife that you see. When you return to the scene, did you see this picture with an eight on the envelope, covering the knife?

OFC. TIFFE: I know I was asked about, you know, you have those little, small cones? I was asked about some of the cones. I was asked about the bicycle. I don't remember specifically all the cones. Like I'll describe in that picture, there's a little, small, yellow cone with a number eight, what you're asking me about. I can't say specifically that I saw that. I was asked, "Was this a good depiction?" about certain things. Yeah, so I can't say for sure; I don't remember it for sure.

INV. AULET: Were you asked about where the knife was when you saw Amilcar was no longer moving?

OFC. TIFFE: I'm pretty sure I was asked, yeah.

INV. AULET: And this picture, number 37, provides an accurate depiction of where you saw it at that time?

OFC. TIFFE: So, you're asking me that now? Yes. From my memory of the incident, yes. From the memory of coming back to the scene, it is very, very vague. From my memory of the incident, that is a pretty fair estimation, yeah.

INV. AULET: Okay. And right after the shooting, did you move the knife?

OFC. TIFFE: I never touched the knife.

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INV. AULET: Did you see anyone moving the knife?

OFC. TIFFE: I didn't see much of anything, but no, I didn't see anyone move the knife.

INV. AULET: Did you see anyone standing next to or watching over the knife, after backup units began to arrive?

OFC. TIFFE: No, I didn't. I didn't see, I didn't want to stand there and look at that, to be honest. So, I went near that direction, and my only, of being in the street, my only memory is, I have a brief memory of Officer Cabillo dealing with [redacted], and I have a brief memory of seeing Officer Obidi doing CPR, and I didn't want to watch no more.

INV. AULET: But you didn't see Michael Mayo standing over the knife, like guarding it?

OFC. TIFFE: Yeah, I didn't. I could have passed right by him and didn't see him. I wasn't, I wanted to get out of there.

INV. AULET: Did anyone, while you were on-scene, before Sergeant Montoya approached you, did you hear anyone say in your presence that the knife had been moved?

OFC. TIFFE: I don't, I didn't hear anything like that.

INV. AULET: Other than Officer Obidi, did you see anyone else handling the body?

OFC. TIFFE: I have a brief memory of seeing, you know, like Officer Reboli initially.

INV. AULET: Handcuffing him?

OFC. TIFFE: Handcuffing him, and then I think I saw Officer Obidi doing CPR, and then I didn't want to see no more.

INV. AULET: Okay. So, you never saw the medics arrive?

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OFC. TIFFE: No.

INV. AULET: Do you believe that you left before they did?

OFC. TIFFE: Until you asked it, I never thought about it, to be honest. It was a lot of lights and sirens, and I didn't pay attention.

INV. AULET: Given the limited time that you observed Amilcar Perez' body on the ground, did you see anyone turning him over?

OFC. TIFFE: No.

INV. AULET: Did anyone tell you that Amilcar was turned for any reason, turned over?

OFC. TIFFE: I didn't have a conversation with anyone about that.

INV. AULET: I'm not asking you if you did. I'm asking you did you hear?

OFC. TIFFE: If I hear? I didn't hear anything like that, no.

INV. AULET: Thank you. Did you hear any officer say that Amilcar Perez-Lopez was turned over in order to administer CPR?

OFC. TIFFE: I didn't hear that.

INV. AULET: Did you see Officer Obidi administering CPR on Amilcar?

OFC. TIFFE: For a brief second, yeah.

INV. AULET: And you didn't see him turning him over in order to do that?

OFC. TIFFE: Excuse me, he was already in-progress, and

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he may have been for I don't know how long.

INV. AULET: Okay. Did you see anyone other than Officer Obidi in contact with the body of Amilcar Perez-Lopez?

OFC. TIFFE: No, I didn't.

INV. AULET: Did you spot any of the cartridges, casings spent in the early part of the crime scene?

OFC. TIFFE: No.

INV. AULET: That wouldn't be something that you do, given that you were one of the active shooters, would you?

OFC. TIFFE: It would not be something I would do.

INV. AULET: How did you get home?

OFC. TIFFE: I did not drive home.

ATTY WHELAN: [redacted] was there.

OFC. TIFFE: Yeah. [redacted] drove me home, and then the CIRT member drove [redacted] car home.

INV. AULET: So, you don't recall being driven by Officer Silvestri instead, to your house?

OFC. TIFFE: No, I wasn't driven by…

INV. AULET: No member took you home?

OFC. TIFFE: No. My, the person that helped out was Officer Ana Morales, she was the CIRT member with me. I want to say [redacted] [redacted]. [redacted]

INV. AULET: And you're certain about that?

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OFC. TIFFE: Yeah. I was, Officer Silvestri, I can't even…I think I know who that is, but I can't even picture him right now.

INV. AULET: Or Lewin-Tankel? He didn't took you home?

OFC. TIFFE: He did not take me home, no. He, he definitely drove me from the scene to the station.

INV. AULET: And before you left to be driven home, did any superior ask you about your unmarked vehicle, how it got from the parking lot to the crime scene?

OFC. TIFFE: No.

INV. AULET: So, I'm the first one to ask those questions, today?

OFC. TIFFE: I think so, yeah.

INV. AULET: Okay. Is there any other statement relevant to this incident that you wish to make at this time?

OFC. TIFFE: No.

INV. AULET: Counsel, do you have any questions for your client?

ATTY WHELAN: No.

INV. AULET: Officer Tiffe, is there any witness or evidence that you wish to submit on your behalf?

OFC. TIFFE: No, sir.

INV. AULET: In that case, we'll conclude the interview at 3:28 p.m. Thank you.

ATTY WHELAN: Thank you.

END OF DOCUMENT

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DEPARTMENT OF POLICE ACCOUNTABILITY

DPA CASE NO.: 0134-15h

INTERVIEW OF: OFFICER ERIC REBOLI, #1651

DATE OF INTERVIEW: 08/16/2017

INV. AULET: This interview is regarding DPA Case 0134-15, it's taking place at the Department of Police Accountability on Wednesday, August 16th, 2017, at 4:15 p.m. The interviewer is DPA Investigator David Aulet. The member being interviewed is Officer Eric Reboli, 1651, and he is being interviewed as a named member. Officer Reboli, do you understand that you have a right to a legal representative?

OFC. REBOLI: Yes.

INV. AULET: And that is why Attorney Peter Furst is here next to you. Counselor, I understand that you wish to have your client be afforded a Miranda admonishment, as well as a Lybarger admonishment by his employer. Is that correct?

ATTY FURST: That is correct.

INV. AULET: In that case, Sergeant Tigran Antonian, 2109, is on the line. Sergeant, would you please?

SGT. ANTONIAN: Yes. Officer Eric Reboli, there may be criminal culpability on your part. I want to be certain you understand the following points: You have the right to remain silent. Anything you say may be used against you in court. You have the right to an attorney before and after questioning. Do you understand each of these rights that I've explained to you?

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OFC. REBOLI: Yes.

SGT. ANTONIAN: All right. And with these rights in mind, would you like to speak with DPA now?

OFC. REBOLI: No.

SGT. ANTONIAN: Okay. Officer Reboli, while you have the right to remain silent criminally, it is a condition of your employment that you answer DPA's questions in this administrative investigation. I work for the Internal Affairs Division of the San Francisco Police Department. I'm advising you that DPA has been designated by the Chief of Police to conduct this investigation. I'm therefore, ordering you, on behalf of the Chief of Police to answer DPA questions in this administrative investigation. If you refuse to answer DPA's questions, your silence can be deemed insubordination and result in administrative discipline including and up to termination of your employment. Any statement you make under the threat of such discipline, will be used for administrative purposes only and cannot be used against you criminally, unless you choose to testify in such a criminal case.

ATTY FURST: May I amplify, Sergeant?

SGT. ANTONIAN: Yes, of course.

ATTY FURST: Officer Reboli, you understand that the protection you get from the Lybarger decision and its progeny, as well as the Peace Officers Procedural Bill of Rights protects you only if you're a target in a criminal investigation? If you, your statement could be used if there's a Pitchess Motion, if there's a lawsuit between you and the City, if there's—I'm giving you examples. If there is a violation of civil rights

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action in the federal courts, lawsuits by some individuals. You understand that your statement could be used in those circumstances?

OFC. REBOLI: Yes, I do.

ATTY FURST: Do you have any questions about that?

OFC. REBOLI: No, I don't.

ATTY FURST: Thank you, Sergeant.

SGT. ANTONIAN: Thank you. Your statements and any information you provide will be held confidential, consistent with the California Constitution, Article I, Section 1, and the San Francisco City Charter and Administrative Code, and will not be divulged except as required by law. Do you understand this order?

OFC. REBOLI: Yes.

SGT. ANTONIAN: Very well. And Officer Reboli, will you answer DPA's questions as ordered at this time?

OFC. REBOLI: Yes.

SGT. ANTONIAN: Okay. Great.

INV. AULET: Thank you, Sergeant.

ATTY FURST: Thank you, Sergeant.

SGT. ANTONIAN: Thank you.

INV. AULET: Officer Reboli, have you received the complaint from [redacted] and [redacted], involving an officer involved shooting on the sidewalk in front of 2857 Folsom Street, on Friday, February 26th, 2015, at 2147 hours?

OFC. REBOLI: Yes.

INV. AULET: And did you also receive the DPA Allegation

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Continuation Form with one Neglect of Duty allegation against ID pending?

OFC. REBOLI: Yes.

INV. AULET: And have you read Department General Order 2.08 in front of you?

OFC. REBOLI: Doing so now. (Reads DGO.) Yes.

INV. AULET: And have you read Rule 21 of General Order 2.01, which is on the opposite side?

OFC. REBOLI: (Reads DGO.) Yes.

INV. AULET: And have you read Section 1(a) of General Order 2.04?

OFC. REBOLI: (Reads General Order.) Yes.

INV. AULET: Officer Reboli, you are obligated, pursuant to General Order 2.01, Rule 21, and General Order 2.04(1)(a), to cooperate with this DPA investigation, provide full assistance, answer all questions truthfully and without evasion. Additionally, pursuant to General Order 2.08(1)(a)(4), you must answer all questions posed to you during this administrative investigation; you are obligated to answer my questions. If your representative interferes with or obstructs this investigation, you will be deemed to have failed to cooperate with this investigation.

ATTY FURST: May I amplify?

INV. AULET: Let me finish. Failure to cooperate with the investigation may subject you to discipline. If your representative disrupts this interview, I will stop the interview and prepare a blue folder which states you are in violation of General Order 2.01 and General Order 2.04. Do you

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understand these orders?

OFC. REBOLI: Yes.

ATTY FURST: Officer Reboli, I want you to understand that the provision that they make about your lawyer, what they call disrupting, is undoubtedly an illegal order. Since your employment is a fundamental right of the United States Constitution 14th Amendment, they cannot hold you responsible for the conduct of your attorney. As a matter of fact, if I were to be precluded from doing my job, you would be denied effective assistance of counsel. Which doesn't mean that I'm going to do all kinds of things, but that threat is pretty much a toothless one. I want you to understand that.

INV. AULET: Would you agree at least, to hold your questions until the end, and I can provide you the opportunity to ask as many questions as you wish, as I finish?

ATTY FURST: Yes, of course.

INV. AULET: Thank you.

ATTY FURST: I only ask you one concession in that, is that from time to time, investigators have been known, not intentionally, but to ask questions that might be unfair or that might ask something that is…let's just say unfair. I would like the opportunity to at least explain to you why I think that question is unfair, and if you agree with me, then perhaps you would rephrase or not ask that question.

INV. AULET: Sometimes we ask compound or complex questions and Counsel may clarify for the client. I understand.

ATTY FURST: Yeah, sure. That's fine.

INV. AULET: Are you ready to proceed with your

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interview, Officer Reboli?

OFC. REBOLI: Yes.

INV. AULET: Have you had an opportunity to review any statements you had made to SFPD Homicide or Internal Affairs, in relation to Incident Report 150 170 555, in relation to the officer involved shooting that you made on February 27th, '15 to Homicide?

OFC. REBOLI: Yes.

INV. AULET: Great. Officer Reboli, SFPD CSI produced a CD from the pictures CSI Officer Nibungco took of the officer involved shooting crime scene on the evening of February 27th, 2015, and possibly past midnight onto the 27th. As part of the DPA, I should say OCC, now DPA investigation of this officer involved shooting, DPA received, and I printed the photographs contained therein. They will be used as part of your interview. Was your SFPD appointment on February 28th, 2005?

OFC. REBOLI: Yes.

INV. AULET: Is it correct that you and Officer Craig Tiffe began your careers with SFPD as probationary partners at Ingleside Station?

OFC. REBOLI: We were in the same Academy, but yes, we went to Ingleside together.

INV. AULET: And you both were probationers when you started?

OFC. REBOLI: Correct.

INV. AULET: Were you reassigned to Mission Station in the summer of 2007?

OFC. REBOLI: I believe so, yes.

INV. AULET: And was Officer Tiffe your partner again at Mission Station?

OFC. REBOLI: Yes.

INV. AULET: And he's still your partner?

OFC. REBOLI: Yes.

INV. AULET: Was your unit identifier 3 David 39 on February 26th, 2015?

OFC. REBOLI: Yes.

INV. AULET: And was your shift from 14 to 2400 hours on the evening of February 26th, 2015?

OFC. REBOLI: Yes.

INV. AULET: How tall are you?

OFC. REBOLI: Approximately six-foot three.

INV. AULET: Approximately how much did you weigh on February 26th, 2015?

OFC. REBOLI: Somewhere in the 210 pounds, somewhere in that area.

INV. AULET: And were you and Officer Tiffe working in plainclothes capacity that night?

OFC. REBOLI: Yes.

INV. AULET: And where do you wear your Star while working in plainclothes?

OFC. REBOLI: Half the time it's connected to my belt, in front of my sidearm, the other half of the time it's on a chair, wrapped around my neck.

INV. AULET: How was it exposed or hidden prior to your arrival to the 2800 block of Folsom Street that night?

OFC. REBOLI: I believe that night, it was clipped to my

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belt in front of my firearm.

INV. AULET: Does SFPD picture number 80 in front of you, accurately depict the black jacket that you wore when you stepped out of your unmarked vehicle that night?

OFC. REBOLI: Yes.

INV. AULET: And would you describe for the record in words, how was it that your Star was attached to the plainclothes outfit you wore that night? Go ahead.

OFC. REBOLI: It was clipped to my belt, directly in front of my service weapon holster.

INV. AULET: And SPFD picture depicts how you wore your Star accurately?

OFC. REBOLI: Generally, yes.

INV. AULET: Okay. Why did you prefer to wear your Star on your right side, next to your weapon, rather than permanently displayed in front of your chest, hanging from a chain around your neck, like your partner that night?

OFC. REBOLI: I don’t recall the reason.

INV. AULET: Was there any particular clothing selection or assignment that you wear half the time, clipped to your belt, or another half hanging from a chain?

OFC. REBOLI: Again, it was 50-50. Sometimes I had it clipped to my belt, other times I had it hanging from my neck.

INV. AULET: But was it based on assignment or the type of clothing you wore? Was there any reason for that half-and-half decision?

OFC. REBOLI: On that particular night or in general?

INV. AULET: In general.

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OFC. REBOLI: Various undercover operations, if you're doing buy busts, you would, I would clip it to my belt, and I would make sure that my firearm is not exposed, concealing my identity as a police officer. And generally, if we don't have some sort of operation, again, I would have it clipped there or hanging from a chain around my neck.

INV. AULET: But there were no buy bust operations going on that evening, were they?

OFC. REBOLI: No.

INV. AULET: The position of your Star clipped to your belt, directly in front of your holster, has it ever been in your way when you are making a [unintelligible]?

OFC. REBOLI: Could you rephrase that?

INV. AULET: Has the position of the Star, when it's clipped to your belt, directly in front of your holster, as this picture in 85 depicts, has it ever been, the Star on your way, when you are attempting to make [unintelligible]?

OFC. REBOLI: Not that night, and never at the range when I was firing my weapon. No, it's never been an issue.

INV. AULET: Do you wear prescription glasses or corrective lenses?

OFC. REBOLI: Currently, right now? Yes.

INV. AULET: But did you in 2015, during this incident?

OFC. REBOLI: No.

INV. AULET: Are you right-handed?

OFC. REBOLI: Yes.

INV. AULET: Who was your immediate patrol supervisor that night?

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OFC. REBOLI: Sergeant Dan Silver.

INV. AULET: And did he respond to this incident that night?

OFC. REBOLI: I don't recall.

INV. AULET: Were you using your Department issued Sig Sauer P20, 226?

OFC. REBOLI: My Department firearm? Yes.

INV. AULET: And did you make any modifications to it?

OFC. REBOLI: I had the range staff apply the rubber molded grips, shortly when I was put on FTO probationary at the time.

INV. AULET: And they're called molding grips?

OFC. REBOLI: I don't know the actual definitive name for them.

INV. AULET: But it was applied by the range master in order to comply with Department policy and procedures?

OFC. REBOLI: Correct.

INV. AULET: Were you carrying a secondary weapon that night?

OFC. REBOLI: Secondary firearm?

INV. AULET: Yes.

OFC. REBOLI: No.

INV. AULET: How many hours did you sleep that night, before this officer involved shooting? The night before this officer involved shooting?

OFC. REBOLI: I don't recall.

INV. AULET: Did you take any medications after you woke up on February 26th, 2015?

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OFC. REBOLI: I don’t believe so.

INV. AULET: Were you and Officer Tiffe riding in the unmarked, silver Crown Victoria depicted in SFPD CSI picture 113, behind you? I'm sorry, before you?

OFC. REBOLI: Yes.

INV. AULET: Were you the driver in the front seat of the unmarked, silver Crown Victoria during your response to this 221 call about a person with a knife, chasing another, at Folsom and 24th Street?

OFC. REBOLI: It wasn’t a 221 call. 221 is a person with a gun.

INV. AULET: Did I say 221?

OFC. REBOLI: You did, sir.

INV. AULET: It was a 222 call.

OFC. REBOLI: Correct.

INV. AULET: Okay. So, yes, you were the driver?

OFC. REBOLI: Yes.

INV. AULET: And after this officer involved shooting, did any SFPD member ask you which of the vehicles parked in Folsom Street was your vehicle?

OFC. REBOLI: I don’t recall.

INV. AULET: Did you get a cup of coffee with your partner around 9:30 p.m. on 24th Street and Noe, shortly before the 222 call of a person with a knife chasing another, came into headquarters?

OFC. REBOLI: I don’t recall exactly what we were doing before; it’s highly probable.

ATTY FURST: I'm going to ask you, Officer. You have to

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answer every question honestly and straightforward, but don't make guesses, and probabilities are guesses. If you can base it on something, then do it. Otherwise, just answer his questions and don't…

OFC. REBOLI: Okay. I don't recall.

INV. AULET: Yeah, I don't want you to guess, and if there's some way we can help you answer the question better, we can do that. Is it true that you're a Starbuck drinker, and your partner prefers Pete's?

OFC. REBOLI: He prefers Philz.

INV. AULET: Philz, Philz Coffee. That's right.

OFC. REBOLI: Yeah.

INV. AULET: Does that help you remember whether you were up on 24th Street before this call came in?

OFC. REBOLI: Well, at 24th and Noe, there's a Starbucks there, and that's one of the ones I frequent in the district. If we were up at 24th and Noe, highly probable that we were at Starbucks, but I don't have a clear recollection of what we were there for.

INV. AULET: Do you recall driving down 24th Street before this incident?

OFC. REBOLI: Yes.

INV. AULET: And where do you believe you were at when this call came in?

OFC. REBOLI: I believe we were two or three blocks east of 24th and Folsom.

INV. AULET: You told Homicide that you drove west on 25th, and made a right onto Folsom, is that correct?

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OFC. REBOLI: No, sir. If you want me to clarify? I believe I told them I turned right, southbound direction on Harrison, not Folsom.

INV. AULET: And then after that?

OFC. REBOLI: When the call came out, that's when I turned, I believe it was Harrison. I turned southbound, proceeded to 25th Street, then turned right, which was now westbound, proceeded from that location to 25th and Folsom.

INV. AULET: Thank you for the complete route. Did you recall being close to 24th and Folsom at the time the initial broadcast came out, which was, "Mission 222, A-priority, 24th and Folsom"?

OFC. REBOLI: Yeah, again, like I stated, we were a couple of blocks away when the call came out.

INV. AULET: You said three.

OFC. REBOLI: Two or three.

INV. AULET: Okay. Did Officer Tiffe type onto the MDT that your unit was also responding as a backup?

OFC. REBOLI: I don't recall.

INV. AULET: I ask because I did not hear the 3 David 39 comment on the air, but there may have been people on the air at the time your partner may have said and entered something. So, did either of you make a broadcast that you were responding as a backup?

OFC. REBOLI: I don't recall.

INV. AULET: And as the driver, who was operating the low-band radio in your unmarked vehicle?

OFC. REBOLI: That would have been the passenger, Officer

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Tiffe.

INV. AULET: Did you hear any of the updated broadcasts before turning right onto the 2800 block of Folsom Street?

OFC. REBOLI: Yes.

INV. AULET: What do you recall of those important broadcasts with details to responding units, about the man chasing another with the knife?

OFC. REBOLI: I believe Dispatch had advised that the subjects involved were running towards 25th Street.

INV. AULET: Any particular direction do you recall?

OFC. REBOLI: That would have been southbound.

INV. AULET: So, did you hear 3 David 14 Edward was dispatched or came up to take this call?

OFC. REBOLI: I knew a unit came up as primary. I don't recall which unit it was though.

INV. AULET: Did you hear the other broadcast by 3 David 16 David, who said he was responding as a backup unit, backing 3 David 14?

OFC. REBOLI: I don't recall.

INV. AULET: Okay. Did you hear the broadcast by Dispatch, who added, "RP yelled at someone on the background. He is running with a knife over there, heading Folsom towards 25th"?

OFC. REBOLI: I don't recall the exact updates from Dispatch.

INV. AULET: Could that be the one that led you to believe that subjects were running southbound towards 25th?

OFC. REBOLI: I know one of the updates from Dispatch was

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that the subjects were running southbound towards 25th on Folsom, yes.

INV. AULET: Did you hear the following one that says, from Dispatch, "222 is chasing another male. Both are 5'5" tall. We're still trying to get a little further description."

OFC. REBOLI: I don't recall hearing that one, specific one, no.

INV. AULET: Following that, 3 David 13 Edward broadcast a 10-25 to indicate that they were responding as backup. Did you hear the broadcast that followed, in which Dispatch said, "And they possibly came out of a house, 2883 Folsom Street"?

OFC. REBOLI: I don't recall hearing that.

INV. AULET: And did you hear the dispatch update about both subjects being Latin male adults yelling in Spanish?

OFC. REBOLI: I don't recall the description of the suspects.

INV. AULET: Or any comment about the language that they were speaking with?

OFC. REBOLI: No, sir.

INV. AULET: I should say, speaking in. What were you thinking at the time you were driving and this last update was broadcasted?

OFC. REBOLI: I'm thinking as I'm traveling towards Folsom Street towards 25th, that there's a delay from Dispatch to what is actual realtime. So, I'm looking for, even though Dispatch is saying 24th and Folsom, I'm looking for subjects running past, already past that intersection. I'm looking for subjects running at me that would be involved, or away from me,

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which would be on 25th, towards Mission Street. I'm just looking for people running and seeing if I can find the direction or what involvement they have, that sort of thing.

INV. AULET: And did that slow your driving, because you were aware of the delay? Meaning that they could appear in either directions than the last ones dispatched?

OFC. REBOLI: We didn't respond Code 3, but we were responding quickly. The closer I got to 25th and Folsom, the more aware, the more probably slower I was becoming, just because I'm coming up on an intersection, as well as I'm looking around for people running in the area.

INV. AULET: But you knew they were last known to be running southbound on Folsom?

OFC. REBOLI: Yes.

INV. AULET: So, you did not recognize that both subjects might be two males with limited English proficiency, while you were en route to Folsom Street? Is that what I hear?

OFC. REBOLI: Yeah. I don't recall anything regarding language or description of the subjects.

INV. AULET: And you said that you responded expeditiously?

OFC. REBOLI: Yes.

INV. AULET: Okay. How was the unmarked Crown Victoria equipped?

OFC. REBOLI: It has a forward facing red light in the center of its windshield, just underneath its rearview mirror, and it's also equipped with the toggle switch that activates it. There is a button that activates the horn, the loud horn.

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INV. AULET: For the siren?

OFC. REBOLI: Yes.

INV. AULET: And where's that?

OFC. REBOLI: It's on the same mounted position where the toggle switch is.

INV. AULET: Does it activate both at the same time?

OFC. REBOLI: It can, but I believe there's a button that can deactivate the siren, just to where it's the red light.

INV. AULET: And is it in the same mount or is it a separate location?

OFC. REBOLI: It's been several years since I've driven it. I believe it's all in the same general area that the toggle switch is mounted.

INV. AULET: So, from what I hear, the way you described the light, it does not require manual exposure, like from the visor, the old ones. Right?

OFC. REBOLI: No. It's fixed to the rearview mirror on the windshield.

INV. AULET: And is it as prominent as the one used, you flip form the visor, or is it a smaller red light?

OFC. REBOLI: It's a singular red light, so it's probably the same size as the flip down red light.

INV. AULET: Is it the one that is shown in this, picture 113?

OFC. REBOLI: It's the flip down. It would generally either have by itself or a blue one next to it. So, it's probably generally the same size.

INV. AULET: So, you could activate an emergency light

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in this unmarked vehicle. Right?

OFC. REBOLI: Correct.

INV. AULET: And whose job is it to activate the lights and siren in your unmarked vehicle when you were driving?

OFC. REBOLI: It's kind of in the center. Primarily, it would be the driver of the vehicle, would activate that.

INV. AULET: When you say center?

OFC. REBOLI: The center of the dashboard, kind of where the, near the radio is.

INV. AULET: Does that mean it's in-between the driver and the passenger?

OFC. REBOLI: Yeah. Again, it's closer to the driver's, the steering column, but it could be reached from the passenger side.

INV. AULET: Did you activate the emergency light?

OFC. REBOLI: I don't recall. I don't believe so, but I don't recall 100 percent.

INV. AULET: Now, tell me what you were thinking when you were responding and you either activated it or not—the light and the sirens.

OFC. REBOLI: Okay. Can you clarify? When I immediately heard the call come out, or when I got to 25th and Folsom?

INV. AULET: So, you turned right onto Folsom. You're looking for the subjects as you described. I gather that you specifically were talking about two subjects. Right?

OFC. REBOLI: When I got to 25th and Folsom, I proceeded into kind of, into the intersection, looking for possible suspects. I didn't immediately see people running. I was alerted

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to a person on the corner, who was looking back towards 24th Street. So, I followed what I figured he was looking at, and then, in the center of the street, probably mid-block, is I see two shadowy figures running kind of in circles.

INV. AULET: Did you anticipate being the first unit on scene when you heard, "Mission, 222, A-priority, 24th and Folsom?"

OFC. REBOLI: I didn't anticipate anything.

INV. AULET: Did you say anything to your partner about not activating the siren during your response?

OFC. REBOLI: No.

INV. AULET: Did you he say anything to you about activating the light and sirens or not?

OFC. REBOLI: No.

INV. AULET: Considering that you were both in plainclothes, driving in an unmarked vehicle, did you and your partner discuss, during those few blocks before reaching mid-block Folsom Street, what you were going to do if you were the first unit on-scene?

OFC. REBOLI: Are you asking if we formulated a plan?

INV. AULET: That's a very short abbreviation of my question.

OFC. REBOLI: No, we didn't discuss any tactics or plans or anything.

INV. AULET: And what were your intentions to respond expeditiously to this call in plainclothes in an unmarked vehicle?

OFC. REBOLI: I'm sorry, what were our plans?

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INV. AULET: Intentions.

OFC. REBOLI: Intentions?

INV. AULET: To respond expeditiously to this particular call in plainclothes in an unmarked vehicle?

OFC. REBOLI: To arrive on-scene and figure out what was going on.

INV. AULET: And considering that this was a call about two men, one chasing another with a knife, were there any intentions to surprise the subjects in plainclothes capacity, without alerting them with a light or a siren?

OFC. REBOLI: First off, 24th and Folsom area, 24th Street corridor, a person with a knife is a fairly common call for service. The majority of the time when officers arrive, either the subjects are not in the area, or the object that the person thinks is a knife, is not a knife. It is some other object; a flashlight, a cellphone. So, the nature of the call, a person with a knife, in that area, is not an uncommon call for service. So, I don't know if that answers your question or not?

INV. AULET: Well, let me rephrase it, now that you've given that excellent background information that I didn't have. Is it more beneficial to your enforcement of those type of calls, given the information you gave just now, that you respond without responding without lights and sirens, in order to intervene and be able to quickly apprehend the subjects, whether they're in a fight, in an assault mode, or de-escalate, if it's in fact, different than the type of call that is broadcasted?

ATTY FURST: Officer, if that question is a bit complicated or compound, let him know. Because if you're not

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getting it, he will break it down for you.

OFC. REBOLI: Yeah. Maybe I'm not following your question. If you could…?

INV. AULET: Maybe?

OFC. REBOLI: Yeah. The lights and sirens don't necessarily have anything to do with breaking up a fight or responding to a location. We were so close, and other units responding in a Code 3 manner—lights and sirens, my intent was again, to get to the area to see. Again, from experience of being in the Mission, is just because the call originates at 24th and Folsom, doesn't mean that you're not going to find the subjects at 25th and Folsom, or even down at 26th and Folsom. So, I was responding to the general area, trying to determine if somebody's running or fleeing the scene. Again, 222, person with a knife, in this area is common, but we have no information. Is it a robbery? Is it a homicide? Is it something more drastic, or if this is merely people goofing around. My intent, being so close, was to get to the area and try and see if anyone's running, and then figure out from there, and assist the units that are arriving.

INV. AULET: Is it common to respond Code 3 on A-priority calls?

OFC. REBOLI: Common in what context?

INV. AULET: Specifically a 222, when specifically broadcast as one person is chasing another with a knife, and it continues to be receiving other calls of the same nature?

OFC. REBOLI: By the time that more updates were coming, we were within a block. So, tying up air traffic to say we were

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responding Code 3, when we're essentially already there, would have been a negative use of the air.

INV. AULET: You would have to say Code 3 in order to respond Code 3?

OFC. REBOLI: To be covered under our DGO regarding Code 3 response, yes, you have to alert Dispatch and the supervisor that you're responding Code 3.

INV. AULET: So, in this case, you specifically recall that doing so would have tied up the air, and it was not beneficial to do so in this case?

OFC. REBOLI: Again, we were already essentially in the area, so it didn't seem like a relevant situation.

INV. AULET: Well, that's why I asked. Given the facts that are known, whether your intentions were to surprise the subjects without alerting them with lights and siren, as you were getting, and were being that close?

OFC. REBOLI: My intentions…

ATTY FURST: Forgive me. Investigator Aulet, I believe there was what we would call in a courtroom session a situation. I know this is not a courtroom. You said something that has no basis in fact. He didn't say that he was going to surprise anybody, and your question was framed as if that was the case.

INV. AULET: Yes. You were saying in your experience?

OFC. REBOLI: In my experience what?

INV. AULET: I don't know. Your counselor interrupted your answer, when I had already framed the question.

OFC. REBOLI: No, sir. I was saying my intent was not to surprise anybody, but to simply get to the area.

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INV. AULET: Was it to also to prevent the stabbing by one person of another?

OFC. REBOLI: Again, my intent was to get to the area to assist in the investigation. What, if any, investigation needed to be done.

INV. AULET: So, in your collective experience, you were aware that calls of this nature might not amount to what is portrayed to Dispatch? Is that what I gather?

OFC. REBOLI: Correct.

INV. AULET: Okay. Do you recall your partner putting your unit in the MDT, backing the primary marked unit assigned to this call?

OFC. REBOLI: I don’t have a clear, definitive recollection of what my partner did in the vehicle, no.

INV. AULET: So, please tell me what you remember happened after you turned right onto Folsom Street.

OFC. REBOLI: Again, when I saw the shadow figures running in the street, I turned the vehicle northbound onto Folsom Street, and as I was doing so, I saw the figures run from the street onto the sidewalk.

INV. AULET: And did you alert your partner about the two people?

OFC. REBOLI: Yes.

INV. AULET: Doing so?

OFC. REBOLI: Yes.

INV. AULET: And what did you actually say to him about that?

OFC. REBOLI: I believe I initially pointed out, I said,

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"There they are," and then as we were driving and they ran onto the sidewalk, shortly after I saw them run on the sidewalk, one of them came out from the sidewalk onto the street.

INV. AULET: Did you say to your partner that two guys on the east side, running around, looked like they were chasing each other on the street?

OFC. REBOLI: I don't recall my exact verbiage, but it was probably something along those lines.

INV. AULET: And did you accelerate in order to approach the two guys at that point?

OFC. REBOLI: I'm sure I did, yes.

INV. AULET: Okay. Do you remember now, whether at that point, you flipped either of the [switched] four lights or sirens?

OFC. REBOLI: Again, like I said earlier, I don't believe I activated the red light.

INV. AULET: Okay. And as your vehicle approached this mid-block location…strike that. And as you saw one subject running from the sidewalk to the street, is that what I just heard?

OFC. REBOLI: He came out from the sidewalk, he didn't run, but I saw him come from the sidewalk. There was a blue car and another car, I don't recall the color or make, but they were parked facing northbound, along the curb line on Folsom.

INV. AULET: And could you see, at that point, which hand, I'm sorry, if that subject had a knife on-hand?

OFC. REBOLI: As he's coming off the sidewalk, I'm parking the vehicle, and I'm alerting Officer Tiffe that there's

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at least one more person on the sidewalk, and I'm focusing my attention on the male subject that was now coming to stop, or coming to rest, leaning against the other vehicle. I could see his hands, but I could only see one of his hands. I couldn't see his left hand completely.

INV. AULET: So, it was the right side, the one you're facing that you could only see?

OFC. REBOLI: Correct.

INV. AULET: And you couldn't see if that person had a knife in his right hand?

OFC. REBOLI: Correct.

INV. AULET: Could you tell me why?

OFC. REBOLI: He's facing me, and so, I'm walking from my vehicle towards him. So, much like a traffic stop, I would take kind of the most direct route. As I'm approaching him, I can see his hands are crossed over like this.

INV. AULET: For the record, wrist over wrist?

OFC. REBOLI: Correct. I don't recall if it was right over left or left over right, but they were crossed in front of him, and most of his body was leaning on the blue vehicle, right about where the windshield and the A-frame, the frame of the door come together, on like the front fender, right by the wheel well.

INV. AULET: So, are both wrists or his hands over the vehicle?

OFC. REBOLI: He's leaning on the vehicle with his hands in front of him, so I could see one of his hands, but I couldn't see the other hand.

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INV. AULET: Okay. And how far from the blue Nissan would you say that you parked the unmarked vehicle?

OFC. REBOLI: It was at least one car length, possibly a little further.

INV. AULET: Was there anything else you said to Officer Tiffe before you actually exited your car?

OFC. REBOLI: Again, I alerted Officer Tiffe to at least one person on the sidewalk.

INV. AULET: But you don't remember anything else after that?

OFC. REBOLI: Correct.

INV. AULET: And was the unmarked vehicle parked straight, facing north, or was it parked diagonally, pointing at the blue Nissan, and the area where Amilcar stood on the sidewalk?

OFC. REBOLI: I don't recall the position.

INV. AULET: How were the lighting conditions on the sidewalk?

OFC. REBOLI: The sidewalk was only illuminated by the porch lights, so it was not very well-lit.

INV. AULET: Were the unmarked vehicle headlights on at the time you stopped and parked at where you described?

OFC. REBOLI: I don't recall if I turned them off or let them on. I don't recall.

INV. AULET: And once you got out of the car, could you see Amilcar Perez-Lopez?

OFC. REBOLI: No.

ATTY FURST: Do you know these names?

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OFC. REBOLI: I've become familiar with them.

ATTY FURST: Did you know it at the time?

OFC. REBOLI: No, sir.

INV. AULET: Okay. You've already described what you saw once you stepped out. Correct?

OFC. REBOLI: I believe I have, yes.

INV. AULET: Okay. Could you describe where your Star was at the time you stepped out of the car and approached [redacted] on the street side?

OFC. REBOLI: My Star?

INV. AULET: Yes.

OFC. REBOLI: Again, it was clipped to my belt, in front of, directly in front of my firearm.

INV. AULET: And how did you display your car while it was being clipped, as you described? It was still underneath your jacket. Correct?

OFC. REBOLI: I wasn't clipping it. It was already clipped. I did not touch my Star. My sweatshirt was tucked on the inside of the firearm, exposing the Star.

INV. AULET: And you specifically recall when you came out of the car doing that, tucking it?

OFC. REBOLI: No, sir. Generally, my gun is exposed and I would just, out of necessity, if I need to get to it, I would tuck my sweatshirt into the belt, so I wouldn't have to be fumbling with the sweatshirt, in case something like this happened. So, if my gun was easily exposed, then the Star was easily visible.

INV. AULET: So, do I hear you explaining that your

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sweatshirt is already tucked underneath the belt when you're still inside the car?

OFC. REBOLI: I believe so, yes. That was a common practice that I did.

INV. AULET: And did you walk or run to approach [redacted]?

OFC. REBOLI: I believe I walked.

INV. AULET: Did you say anything to him?

OFC. REBOLI: As I'm getting close to him, I announce myself in a clear, loud voice that I'm police.

INV. AULET: And from what you could see of [redacted], did he match the description of one of the two Latin males? 30s, 5'5, both wearing beanies?

OFC. REBOLI: You know, like I said earlier, I don't recall any description or making any mental notes of any description involved from Dispatch.

INV. AULET: So, at that point, you only knew that there were two men, one chasing after another with a knife?

OFC. REBOLI: Correct.

INV. AULET: Did you come out of your vehicle with your flashlight on hand?

OFC. REBOLI: I don't recall.

INV. AULET: Did you come out of your car with your weapon drawn?

OFC. REBOLI: No.

INV. AULET: You're sure about that?

OFC. REBOLI: Positive.

INV. AULET: Did you have anything in your hands when

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you approached [redacted] on the street side of the blue Nissan?

OFC. REBOLI: I don't believe so.

INV. AULET: Do you wear an earpiece for your PIC radio?

OFC. REBOLI: No.

INV. AULET: Did you wear your PIC radio on your left, rear pocket, without a cord attached to an open microphone as depicted in picture, SFPD 92?

OFC. REBOLI: That looks to be correct. I can't, I'm not 100 percent certain if it was clipped outside like that or if it was clipped in my back pocket, but that's always where I kept it, it was in my back, left pocket.

INV. AULET: I guess the important part is, to me, whether it had no attached microphone.

OFC. REBOLI: This part?

INV. AULET: This recording doesn't see what you're pointing to, Officer, so listen to the question. The important part is it did not have an open microphone attached to it. Correct?

OFC. REBOLI: Correct. As is depicted in that photograph, is the exact condition that I carried my radio.

INV. AULET: Thank you. Could you hear other units broadcasting as you approached [redacted] on the street?

OFC. REBOLI: I don't recall.

INV. AULET: Do you normally, are able to hear other units approaching when you are also responding to a call of this high priority type?

OFC. REBOLI: Again, it's hard to say. There's no typical A-priority. From the time that I got out of my vehicle, until

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the time I made contact with the victim, was probably four or five seconds. So, in that time, I don't recall if anything was broadcasted or not.

INV. AULET: That's not where your attention is at that time, is it?

OFC. REBOLI: No, sir.

INV. AULET: Could you see Officer Tiffe approach Amilcar Perez on the sidewalk?

OFC. REBOLI: No.

INV. AULET: And once your focus was on [redacted], could you please describe in detail what happened from that point forward?

OFC. REBOLI: Again, as I'm approaching him, I announce myself as police. As I get close to him, I believe I announce myself as police again, and I'm using my hands in front of me, and asking for or saying, "Hands," and shaking my hands in a reference to, "Show me your hands." I may have even ordered him to show me his hands.

INV. AULET: Go on.

OFC. REBOLI: The victim looked at me and simply, again, I don't know left over right, right over left, but he simply maneuvered his hands open in front of him in this gesture, where he just simply rolled his hands forward, to where I could see both hands were empty of any objects.

INV. AULET: Okay. And what happened next?

OFC. REBOLI: As I'm walking up to him, getting closer and closer, he does this. Again, this is all fluid and in constant motion. Once I see his hands are empty, I reach out, I

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grab his forearm, which is his right forearm, which is the closest to me, and I grab, using my left hand, grab his elbow, and kind of pin him up against the car, using his own arm to kind of pin him. I don't know if he's the one with the knife. I don't know anything at this point. I haven't searched him, I haven't cleared him for any weapons. So, keeping my own personal safety, that's when I just used my body and pinned his arm up against him.

INV. AULET: Okay. And then, what else did you do?

OFC. REBOLI: I then slid my right hand up to his elbow, and used my left hand to reach around, and again, to do the same thing, shoulder to elbow. I pinned his arms together because he's being wedged up against an immovable object in the parked vehicle, and now me, pressing up against him. So, I grabbed his left elbow with my left hand, and I pulled it back, and almost like a hockey maneuver, I pinned his elbows behind him. Just in case he has the knife on him and he goes to grab it, I would sense his body tensing or his movement somehow.

INV. AULET: In order to immobilize him?

OFC. REBOLI: Yes. Again, for my own personal safety, I don't know if he's the one with the knife. I don't know what's going on, on the sidewalk. Again, I don't know what is going on in this call for service. We're just on-scene, and now I'm making contact with what I believe is one of the participants.

INV. AULET: And what was his overall demeanor at that point?

OFC. REBOLI: I could see he was breathing quite heavily. He was saying something, but I wasn't recognizing what he was

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saying. When I grabbed him by the elbow, I told him, you know, "Let's go, let's get on the sidewalk. Let's get out of the street," something to that effect. And when I turn him, his entire bodyweight was in my hands. It's as if he were completely devoid of any strength, he was just completely limp; there was no tension in his body. I kind of, again, now I'm having to hold up another grown man, and I'm, I took a glance over at Craig to see where he was.

INV. AULET: Over your right, as you're describing?

OFC. REBOLI: Yes, because to the right of me is the sidewalk. So, I'm on the street, there's a parked car and then there's the sidewalk. So, I'm looking for Craig to find out what he's doing, where he's at in relation to me.

INV. AULET: For the record, Officer Tiffe?

OFC. REBOLI: Yes, Officer Tiffe.

INV. AULET: Okay. And this was still on the front, left bumper area of the blue Nissan?

OFC. REBOLI: As I'm making contact with the victim, he is more towards the windshield and where the front fender come together, and I'm spinning him and moving him towards that front bumper, so we can get the quickest access to off the street, would be to the front of the car, go in-between the front of the blue car and the back of the other car to get onto the sidewalk. So, that was my motion, turning him to get to that area, to get off the street.

INV. AULET: Okay. And was there anything specific that you saw when you took a glance towards your right, over the vehicle, onto the sidewalk, where your partner was?

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OFC. REBOLI: The first I remember is seeing, across the windshield of the vehicle, I saw Officer Tiffe on the sidewalk kind of facing me, and he was speaking to somebody, because I could see and hear his voice, but I can't recollect, I can't make out what he's saying.

INV. AULET: By the way, let me go back for a second. Whatever [redacted] seemed to have said to you that you indicated that you couldn't recognize. Was it possibly in Spanish that he was talking back to you?

OFC. REBOLI: I don't recall what. I remember seeing his mouth move, and I remember hearing his voice, but I have no recollection of what he's saying to me.

INV. AULET: So, it's not that you cannot recognize someone speaking to you in Spanish, it's just what?

OFC. REBOLI: To be honest with you, I think he was so exhausted and he just, his voice wasn't loud enough for me to comprehend what he's saying.

INV. AULET: I see. Okay. So, you're moving forward towards the sidewalk with [redacted].

OFC. REBOLI: I had [redacted], I'm holding him by his elbow, you know, essentially his biceps right the elbow, and I'm guiding him from the street onto the sidewalk. I take a second glance at Officer Tiffe, and I see he is either touching his Star or holding his Star from his chest, but he's definitely drawing the attention to the Star. And now, I can see what is the back of another male's head, and the back, left shoulder of the male, but it's over the windshield of the vehicle. And so, I see Officer Tiffe more in the center of the sidewalk, facing the

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street, and then there's a male, and then there's a parked car that I'm in very close proximity to.

INV. AULET: So, do I hear you saying at that point you couldn't see the right hand or the right side of Amilcar Perez because he was sort of moved too closer to your partner?

OFC. REBOLI: I don't know what the relation, I don't know how many feet the two of them were separated by.

INV. AULET: I'm only asking because you said that you saw his back of his left shoulder. So, does that mean that he was turned?

OFC. REBOLI: Again, I'm looking over the vehicle.

INV. AULET: Yes.

OFC. REBOLI: And over the windshield of that obstruction. All I can see is the back of his head and the back, left shoulder of the suspect.

INV. AULET: So, it's because of the vehicle, not necessarily where Amilcar was positioned?

OFC. REBOLI: It's both, sir.

INV. AULET: Okay. Please, go on.

OFC. REBOLI: I see Officer Tiffe speaking to that subject, and I'm still maneuvering the victim. I then take my eyes off Officer Tiffe, because I'm trying to figure out the safest way to get onto the sidewalk. And as I'm doing so, I again see the victim saying—I see him kind of leaning over his right shoulder, like he's trying to talk to me, and I see his mouth moving, I hear his voice, but I am not comprehending what he's saying.

INV. AULET: And for the record, when you refer to the

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victim, you're referring about [redacted], the one you were holding?

OFC. REBOLI: Correct.

INV. AULET: Thank you. Sorry for that.

OFC. REBOLI: I kind of, once I see my walking path, my direction of travel is clear to get from the street to the sidewalk, meaning we're not about to step in a big pothole, we're not about to run right into the back of a trailer hitch or any obstruction, and I'm seeing the victim speaking and I'm still holding him up. I then look. I don't know if it's because the victim is now alerted to something going on, but I remember looking in his face, and then glancing back up to where Officer Tiffe is, and that's when I see Officer Tiffe and the suspect struggling.

INV. AULET: Describe that struggle that you saw.

OFC. REBOLI: Again, I can't really see the suspect. I see Officer Tiffe kind of has his hand on the suspect's back, and he's trying to…

INV. AULET: His right hand, as you were motioning?

OFC. REBOLI: I see a hand. I don't know if it's a right hand or a left hand. Again, they're struggling together. I see Officer Tiffe engage in a struggle. I disengage from the victim. I don't, to this day, I don't recall if I pushed him forward onto the sidewalk. I don't recall if I threw him to my left or threw him to my right. I just remember moving him out of my way in some direction.

INV. AULET: So, that could be back to where [redacted] originally was, to the left, past the two parked vehicles, or

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forward between the two vehicles, onto the sidewalk?

OFC. REBOLI: Correct. I just remember disengaging.

INV. AULET: Because you were already in-between the two cars by the time you did this?

OFC. REBOLI: Correct. We are the front of the blue car, and then in-between the front of the blue car and the back of the other car parked in front of it, there's probably a three-foot gap of pavement, then onto the sidewalk. We had not, I don't believe we had gone into that six-foot, eight-foot, you know, the width of a vehicle to get to the sidewalk. So, I don't exactly know my exact location, other than I was staring at an open pathway to the sidewalk.

INV. AULET: You were looking at the space between the two parked cars?

OFC. REBOLI: Correct.

INV. AULET: But you are not in it yet?

OFC. REBOLI: I don't recall if we were a foot in there, if we are a step in there, I don't recall, but I just remember disengaging from the victim.

INV. AULET: Okay. By pushing him in one direction or another?

OFC. REBOLI: Correct.

INV. AULET: Okay. And what did you do next?

OFC. REBOLI: I ran, and again, keeping Officer…they're in front of me but off to my right, so I can see the peripheral. I glanced again, at the area I'm running, because I don't want to run or break my ankle on a curb, or run into a street sign or something. So, I glanced very quickly to see my path of travel

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was clear, and then as soon as I got on the sidewalk, around the vehicle, I'm now running southbound, directly at both Officer Tiffe and the suspect. They're both still moving. It looked like Craig was trying to take him to the ground. I don't know if he's trying to tackle him. I don't know if he's trying to spin him or throw him. All I know is the two of them are locked together and they're in like a scrum; they're just moving all over the place.

I continue to run directly at both of them, so that I could knock them apart, tackle the suspect. I wasn't, I was trying to think of the best possible way to get Craig away from the suspect and also end the struggle, so we can detain the suspect, put him in handcuffs, and figure out what's going on. All I know is Craig was struggling with a suspect, which is abnormal for Craig. Craig is not an aggressive person, so for Craig, Officer Tiffe to be physically engaged with somebody, it must be fairly serious.

INV. AULET: And considering that one of these two subjects was known to have a knife, were you thinking, at that point, as you're approaching them that he may have a knife?

OFC. REBOLI: Very much so, yeah.

INV. AULET: Okay.

OFC. REBOLI: And I don't know for certain he has a knife, but I know the call for service was someone being chased with a knife. I didn't see anyone else on the sidewalk in this general area. So, as I'm running towards them, all I'm thinking about is Officer Tiffe's safety.

INV. AULET: And so, what did you do?

OFC. REBOLI: Again, as I'm running, I'm trying,

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extremely quickly, I'm trying to formulate a plan to detain, get the suspect under control. Do I tackle him, [unintelligible] style? Do I just use my body force into him to drive him away from Craig? I remember thinking of, do I run and do like a jump side kick? Do I run and do a round kick to his base or to his stomach, just to drive him away? As I'm thinking all of this, is when I see the suspect attempt to kill Officer Tiffe. He made a very dramatic slashing motion at Officer Tiffe, causing Craig to lunge and fall backwards. I just, because Craig is in front of me, I can see Craig and the suspect, they're still intertwined. As the suspect swings, again, I'm not certain if it's his left hand he's swinging the knife or the right hand; I'm not 100 percent.

I just see the suspect lunge, launch himself off the sidewalk, off the ground, and he's swinging the knife at Craig. Craig is falling backwards and he has both hands up, clearly in front of him, outward like this, and he's falling away from the suspect. I described what I'm seeing as a scene from the movie, *The Matrix,* the very popular scene where the character falls, just bends at his knees, and the bullets are going past him, that's what Craig looked like. He was, and again, his actions were slow motion, and I'm keying on the suspect. It looks like he came off the ground, he swung so hard, and he was turning his entire body. As this is happening, I'm no more than five feet, six feet away from both of them as I'm watching this, and I'm running as hard as I can to get to them.

So, as the suspect spins away from the slash, he now is collecting himself, and he now sees me, and he just starts

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running, what I'm perceiving as running directly at me.

INV. AULET: Okay.

OFC. REBOLI: I didn't know if you wanted me to continue?

INV. AULET: Please.

OFC. REBOLI: Okay. As I see Craig falling backwards, and now the suspect's running directly at me, I don't know how I did it, but it feels like I stopped on a dime immediately. I described it like a scene out of a Wile E. Coyote cartoon, just instantly. I immediately launch myself backwards. I know one, at least one very large lunge step back, probably two or three, because the entire time the suspect is charging at me, and he's slashing in the air with a knife, and I see it's a very large knife.

INV. AULET: Actually, the way you're doing it in both directions?

OFC. REBOLI: Yeah. He's doing this at me. He's running at me and he's slashing.

INV. AULET: For the record, both directions. Right to left, left to right, in the upper chest area in front of himself?

OFC. REBOLI: Yes.

INV. AULET: And moving forward?

OFC. REBOLI: Moving forward, yes.

INV. AULET: And that is the time that you're moving backward, or you were…?

OFC. REBOLI: Absolutely.

INV. AULET: Okay. Just one or more than one large step backward?

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OFC. REBOLI: I would say one very large, probably two or three. I'm just, I'm getting backwards. I don't recall how many steps I take.

INV. AULET: And is it your position that you moved, like you told Homicide, about five or six feet backward, or could it be more?

OFC. REBOLI: Six-foot, in that general proximity. I don't…four feet, five feet, six feet, seven feet, in that general area. Again, I'm keen on this knife that's whipping in front of me, and I'm backing up, and he's advancing on me, which I know is a horrible idea.

INV. AULET: Clarify for me. Is it backing from him in the northern direction of the sidewalk, or towards the iron fence of the building in front of 2857 Folsom?

OFC. REBOLI: I'm moving backwards more into like the center of the sidewalk, but in a northern direction. I'm going back more towards 24th Street, mainly because he's charging right at me, and I'm trying to create distance to keep from being stabbed. Again, from what I just saw, I believed Officer Tiffe was mortally wounded, or if not…at one point I remember thinking, "Is he decapitated?" That's how hard he swung at Craig. Again, I'm moving backwards, he's running at me, but I'm not going in a straight line. I'm moving, I'm flanking off what would have been to his right. If he's running in a straight line, I would have moved off to his right. So, he had a clear path to continue running, if he chose to do so.

INV. AULET: And did he?

OFC. REBOLI: No, sir. As he was running, he kept me,

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kept the front of his person engaged with me. He was fixating on me as he was charging at me and moving the knife.

INV. AULET: Okay. And as he is getting closer to you, what did you do?

OFC. REBOLI: I remember at one point, I tried to reach my radio to throw at him, to create something, some sort of divergence. I think all I did was just knock my radio from my pocket, but I was also reaching for my firearm, and was producing that all in one motion. So, I was kind of doing one of those, with both hands-type thing.

INV. AULET: At the same time?

OFC. REBOLI: Very close. I wouldn't say simultaneously, but it was very close, kind of a left-right maneuver.

INV. AULET: And were you wearing a pepper spray somewhere about your belt or person?

OFC. REBOLI: I did.

INV. AULET: Where was it?

OFC. REBOLI: That's hard to say. My pepper spray was kind of all over the place. Sometimes I kept it in the little side pocket.

INV. AULET: So, let's stop for a second. I'm going to allow you to review your pictures of CSI at the station, and you can review and tell me if you see where it is, if it helps you. Okay. This is where they start. So, please take a moment for picture A to go forward and see if it helps you.

OFC. REBOLI: (Officer Reboli reviews pictures.) Yeah. Like I was saying, my pepper spray, I didn't have a constant location where I kept it. Because of its size, sometimes I put

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it in my right front pant pocket, depending on the article of clothing I was wearing. If I was wearing jeans, I would have it in my back pocket. These are Dickies, it has a side pocket. So, my pepper spray was never in a consistent area.

INV. AULET: But you don't see it in the picture?

OFC. REBOLI: I don't see it in that picture. It could have been in my front, it could have been in my pant pocket. It could have been in my back, left pocket with where my radio is clipped to. It could have been in my right, back pocket, next to my yawara stick. It just, because of its size, I never had a consistent location for it.

INV. AULET: And when you reached with your right hand back, rather than your forearm, were you possibly reaching for that yawara stick that I see in the rear right pocket?

OFC. REBOLI: No.

INV. AULET: You practice martial arts, do you?

OFC. REBOLI: Yes.

INV. AULET: And part of your training as plainclothes officers is knowing how to proficiently use this yawara stick. Right?

OFC. REBOLI: The yawara stick is utilized to take a combative subject that does not have a weapon.

INV. AULET: So, this particular object in your right pocket is not something you intended to grab for?

OFC. REBOLI: No.

INV. AULET: Okay. So, it was your firearm that you were reaching for, rather than your pepper spray, at that particular time?

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OFC. REBOLI: With my right hand, it was my firearm. The left hand was reaching for something to grab to throw at him, to create some sort of diversion from his charging at me.

INV. AULET: And later on, you realized that your PIC radio was on the ground. Right?

OFC. REBOLI: Later on when?

INV. AULET: After the discharges. You realized that your radio was somewhere on the ground?

OFC. REBOLI: Yes.

INV. AULET: And that’s why you said that perhaps you pulled it out of the pocket where it was, and that where it may have felt when you were trying to reach for something to throw at him?

OFC. REBOLI: Again, I don’t know if I knocked it from its pocket as I'm reaching for the yawara stick, pepper spray. I don’t know if I'm reaching for the radio. I am just reaching for something to throw at him as I'm backing up, with that, throw it with my left hand.

INV. AULET: And that was to give you some time to be able to step back, reach, draw your weapon, and do something else?

OFC. REBOLI: Absolutely. To create some sort of diversions from him charging at me.

INV. AULET: Okay. And as you did this, what were you able to accomplish?

OFC. REBOLI: The only thing I essentially accomplished was my radio falling from my person onto the sidewalk.

INV. AULET: But did you also draw your weapon at that

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point?

OFC. REBOLI: Yes.

INV. AULET: Okay. And did you step further back as he was approaching you?

OFC. REBOLI: I don't recall.

INV. AULET: What do you remember once you were able to reach for your weapon?

OFC. REBOLI: It seems in slow motion, but the reality is everything was moving all at once. There was no static one-step, two-step, this, that. In my head, it's very slow motion. It's, the gun is being removed. I'm yelling at him to either drop the knife, "Police, drop the knife." Something to that effect, and I'm keying on the knife that's still moving. So, as I'm pulling the gun out, I may have taken another step back, I don't recall, but I remember getting in a position to produce the firearm directly on the suspect.

INV. AULET: Do you know if it was a [draw hip], or did you actually position in front of you, holding it with both of your hands so that he could see that you had a weapon pointing at him?

OFC. REBOLI: I remember drawing the gun and coming into a two-handed position, with the gun out in front of me, with both hands.

INV. AULET: And did you see any reaction from him after that?

OFC. REBOLI: No discernable reaction, no.

INV. AULET: So, what did he do that you could see?

OFC. REBOLI: Again, as he's keeping me in front of him,

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so like if you're me and I'm him, and instead of running past, towards 24th Street, he's turning his body with the knife in-between us, and now he's turning, he's canted in a way. He's not facing me; the majority of his body is facing me. I described it as like a boxer stance. One hand is out front, the other hand is back, but the other hand is controlling the knife. And he's moving, he's turned in a way almost like he's turning to go out, back onto the street.

INV. AULET: To the left?

OFC. REBOLI: He's turning like in a circular.

INV. AULET: Towards his left?

OFC. REBOLI: Towards his right. He's turned his entire body. As he's running, he's now turned this way, do you see what I'm saying?

INV. AULET: Towards his right.

OFC. REBOLI: Towards his right.

INV. AULET: And that would be facing you?

OFC. REBOLI: Past me. Again, he was never shoulder to shoulder, hip to hip. He was turning his person, probably more towards where Officer Tiffe would be. But I'm, I don't know, five, six feet from him, and he's flipping the knife back and forth, and then he has the knife… I don't believe it ever like ever stops, but I definitely remember the knife being about his shoulder heighth.

INV. AULET: So, if I, just a point of clarification. So, you're saying that first he was facing north when he initially turned and saw you, moved towards you, but then he turned to his right, turning, facing southbound, towards where

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Officer Tiffe was?

OFC. REBOLI: Yes.

INV. AULET: And so, that means that he actually was moving backwards now?

OFC. REBOLI: No, sir. His momentum stops running northbound, but his body is turning around.

INV. AULET: So, did he stop?

OFC. REBOLI: He stopped his forward motion, but his body never stopped, he simply was turning.

INV. AULET: But he was turning?

OFC. REBOLI: Yes.

INV. AULET: Okay. And when he stopped to turn, did he then move in what direction?

OFC. REBOLI: As he’s maneuvering, as he’s moving, is when I'm giving the order, and producing the weapon in front of me. It looked like he was looking at me, and then again, in my mind, it seems kind of distinctive, like he did this and then this and then this, but it was all in one motion. He was looking at me, I remember his head turning to where, I think, Officer Tiffe is on the ground, and then he turned over, looking over his right shoulder, but looking out onto the street, again, where I believe the original victim is somewhere.

INV. AULET: Which you didn’t know where he had gone?

OFC. REBOLI: Correct.

INV. AULET: And that’s why you believed that he was looking at, thinking of going back towards [redacted]?

OFC. REBOLI: Yes. I knew the initial victim was in no capacity to run away. I knew he was in the general area. Again,

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I couldn't see him from my view point.

INV. AULET: Is that because you are not looking for him, but your focus was on that person with the knife in front of you?

OFC. REBOLI: Exactly, yes.

INV. AULET: Okay. So, at that point that you see Amilcar Perez-Lopez turned and did that look toward the street, were you committed to discharge the weapon, based on what had already occurred?

OFC. REBOLI: I believe I was already, I was still in the process of giving the order. Again, it's all kind of simultaneously. I'm still giving the, "Drop the knife," maybe a second something. But his action was as he was looking to the right, he looked at me and was raising the knife. The knife went from approximately shoulder to, I don't know if it went over his head, but it went up to his eye level.

INV. AULET: Even after he had seen you with your weapon right in front of yourself?

OFC. REBOLI: Yes.

INV. AULET: Okay. Did you yell again at him?

OFC. REBOLI: No. I took the raising of the knife, my extremely close proximity to him, as an immediate threat to my life, or he was going to continue to turn and charge at where [redacted] was, and trying, and continuing to harm the victim.

INV. AULET: Did you discharge at that point?

OFC. REBOLI: Yes.

INV. AULET: Do you recall if you retracted your weapon, once you saw him raising the knife as you described?

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OFC. REBOLI: I don’t recall.

INV. AULET: Or lower your weapon?

OFC. REBOLI: No, sir. I recall just having it out and just thinking in my head, “I have to shoot this guy.”

INV. AULET: I ask because there were several rounds that ended up on the house across the street. I know you looked, but you didn’t see any property damage, but there were some. I'm questioning whether, based on what was occurring in front of you and the proximity, whether your first rounds were while you were moving away from Amilcar, or lowering your weapon, that may have discharged and not hit him initially.

OFC. REBOLI: I don’t know where the rounds ended up. I believe, I've been told that one round ended across the street in the building.

INV. AULET: There were two. But what I'm asking is, if your recollection is whether you moved your hand as you saw him raising the knife again?

OFC. REBOLI: I don’t recall any dramatic movements of my person while firing. Again, the suspect is considerable smaller than me and he’s moving, and given all of that going on, I don’t know if the rounds were through and through, I don’t know if they missed. I have no idea as to what happened to those other two rounds.

INV. AULET: Is it your recollection that he was facing you when you first discharged your first round?

OFC. REBOLI: Like I just described, he never stopped moving. He was canted in a position to where he was, he was moving at all times, and as he was raising the knife, even his

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body was moving. I don't know if he was getting ready to lunge at me with the knife. I don't know if he was beginning to run at Officer Tiffe. I don't know if he's getting ready to run at [redacted]. All I know is his body's moving and he's raising the knife at me. So, no, he was not facing shoulder to shoulder, but he was canted. I'd say I saw about 50 percent of his body.

INV. AULET: Okay. And what happened then?

OFC. REBOLI: I distinctly heard the first round, and a lot of things kind of went through my mind. One is, I don't know if I was expecting more of a Hollywood kind of reaction, based on the caliber of the firearm we carry and his diminutive size. I was expecting more of a reaction. It seemed all he did was flinch and he continued to turn away from me, using his body to go out away from me onto the street.

INV. AULET: In-between the two cars?

OFC. REBOLI: Right.

INV. AULET: So, it's your specific recollection that your first discharges were while he was still on the sidewalk?

OFC. REBOLI: Yes.

INV. AULET: Not moving down onto the street?

OFC. REBOLI: He was moving the entire time.

INV. AULET: Okay. And after you saw him moving in that direction, what happened?

OFC. REBOLI: I still saw the knife.

INV. AULET: For the record, you're lifting your right arm above your chest.

OFC. REBOLI: Yeah.

INV. AULET: Is that what you saw him doing with the

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knife that you saw?

OFC. REBOLI: Yes. When he raised it and he turned, I continued to see the knife.

INV. AULET: And is that why you said that you didn't know whether you expected a Hollywood reaction? Meaning a higher impact from the rounds that you had just discharged towards his direction?

OFC. REBOLI: Yes.

INV. AULET: But you don't know whether you had impacted him or not at that point. Right?

OFC. REBOLI: Correct.

INV. AULET: Okay.

OFC. REBOLI: Like I said, it seemed like he just flinched. So, I continued to fire because he was still holding the knife. I don't know how many times I fired. To this day, I don't know how many times I fired. He took one step, which would be from the curb onto the street, and he may have taken a second step. Again, I'm still, it seems like slow motion, but fractions of seconds are going by. I remember kind of taking, in my head it seemed like a long pause, but again, a fraction of a second to reacquire the target, and that's when I hear Officer Tiffe's firearm go off. It kind of startled me, because I remember thinking, "Holy crap, Craig's alive, one. And two, he's able to stay like in the fight-type thing." And after I kind of flinched from hearing the firearm, that's when I'm still acquiring the suspect. I don't know if I fired directly before or directly after; I don't recall because it was in such rapid succession. But I remember after kind of flinching, seeing the suspect just

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collapse.

INV. AULET: So, at one point in time, you used the word, reacquire. Meaning you specifically recall being able to position both of your hands on your firearm to hold your…

OFC. REBOLI: I don’t think from the time I pulled the trigger that I didn’t have both hands on the firearm.

INV. AULET: Okay.

OFC. REBOLI: And again, he’s much smaller; he’s moving. Once he steps off the curb, he’s stepping down. So, I'm having to adjust my line of sight, line of fire on him as he’s moving, and so I'm also dealing with the recoil of the weapon.

INV. AULET: And is that the time you saw him drop to the ground, Amilcar?

OFC. REBOLI: It was within a fraction of a second after I recognized Officer Tiffe’s gun.

INV. AULET: And could you see how, in what position he fell?

OFC. REBOLI: He fell, he fell face forward, but onto his right arm, his right shoulder, but kind of slid on the front of the bumper of the car. He kind of, I don’t know if he fell and hit the front and then slid off of it, or if it’s just his momentum is carrying him to the front of the car. But he fell more into the lane of traffic, and I saw as he fell, the knife just fall from his hand. And then he fell with his left hand out, and his right hand kind of positioned underneath him, in this general area of his torso.

INV. AULET: And throughout all these few seconds, I gather, because it was rather quick, was it?

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OFC. REBOLI: Yes, sir.

INV. AULET: Could you now remember in what hand was it that he had his knife?

OFC. REBOLI: I distinctly remember the knife being in his right hand.

INV. AULET: Okay. And throughout this event, did you hear Officer Tiffe issuing any commands on the sidewalk?

OFC. REBOLI: I don't recall hearing Officer Tiffe at all.

INV. AULET: And since both subjects were reported yelling at each other in Spanish, did you believe Amilcar understood your command?

OFC. REBOLI: I don't recall seeing the suspect's face really at all. I was keying so much on the knife, I don't recall if he was looking at me. I don't recall if he recognized me or was looking through me. My concern was with the knife that he was slashing in front of me.

INV. AULET: So, you were aware that this call involved one of the parties had a knife and had been chasing the other. Right?

OFC. REBOLI: Yes, sir.

INV. AULET: And you had not identified who had the knife at the time you arrived. Correct?

OFC. REBOLI: Correct.

INV. AULET: So what was your rationale to go hands-on with someone who might be the one who had the knife in his hand?

OFC. REBOLI: Initially, with the victim?

INV. AULET: Even when you saw your partner fighting

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with the subject, or struggling with the subject?

OFC. REBOLI: Well, like I said earlier, when I approached the victim and I asked to see his hands, he produced his hands in an open palm, and I knew he didn't have anything in his hands. That's why I grabbed him, so I could control his body movement.

INV. AULET: But you had established then that he didn't have a knife. Right?

OFC. REBOLI: He didn't have a knife in his hands. It doesn't mean he didn't have a knife in his pocket, in his jacket, anywhere else somebody can conceal a knife.

INV. AULET: But somehow, you let him go.

OFC. REBOLI: When I saw my partner struggling with another person, yes, I disengaged from that subject.

INV. AULET: But you still believed in the back of your mind that perhaps [redacted], who had just released, might be the one who had a knife?

OFC. REBOLI: No. I believed he was the victim, just based upon his entire demeanor. He just, again, there was no tension in his body. He just was complete; he offered up no resistance to me.

INV. AULET: So, your response towards helping your partner was more because he was involved in a struggle, rather than thinking, "Maybe I should be cautious. This other guy might be the one who had the knife"?

OFC. REBOLI: I was running to protect my partner, yes.

INV. AULET: Okay. Did you hear Officer Tiffe yell anything before he fired his weapon?

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OFC. REBOLI: Again, I don’t recall hearing Officer Tiffe at all, from the time I got out of the vehicle.

INV. AULET: But you yelled your command to Amilcar before firing at him, did you?

OFC. REBOLI: Yes.

INV. AULET: I'm going to provide you a few options. Where would you say was Amilcar Perez during your first two rounds? On the sidewalk? Three feet from you? On the curb? By the front bumper of the blue Nissan? Or on the street between the two cars?

OFC. REBOLI: Again, I only recall the one round. I don’t recall how many times I pulled the trigger after that. But the first time I pulled the trigger, he was within five feet of me, on the sidewalk, but very close to the curb.

INV. AULET: All throughout this incident, where was the last place that you saw [redacted] at?

OFC. REBOLI: Again, the last recollection before the shooting of the victim [redacted], was when I had him in my arms, in the street, probably six to eight feet prior to the sidewalk.

INV. AULET: But you didn’t see him after that?

OFC. REBOLI: I didn’t see him or notice him until I had come back across the street, after the shooting.

INV. AULET: Who was closer to you, Amilcar Perez or Officer Tiffe, when you both discharged your weapons?

OFC. REBOLI: I don’t have a clear recollection of where Officer Tiffe is. I know he’s to my general left.

INV. AULET: And when you were discharging and your partner was to your left, did you see anyone else, other than

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Officer Tiffe on the sidewalk?

OFC. REBOLI: As I'm discharging my firearm?

INV. AULET: Or shortly thereafter?

OFC. REBOLI: I only noticed Officer Tiffe, probably a few seconds after the suspect fell to the ground, and that was just in a glance to see if he was on his feet or if he was shooting from the pavement.

INV. AULET: So, you didn't see anyone else on the sidewalk?

OFC. REBOLI: I don't recall seeing anyone else, no.

INV. AULET: And what did you do once Amilcar Perez dropped to the ground?

OFC. REBOLI: It seemed to take forever, but the realization of just having fired my firearm at another human being, I recall hearing another patrol car engine revving. I remember kind of looking around and not seeing any patrol car, and thinking, "Where the hell is this car coming from? Is it coming from across the city?" But it seemed like I heard the sound of a patrol car, which is very distinctive to a police officer. It seemed to take forever for a car to come up. I remember trying to holster my firearm, as well as looking at the suspect, and also seeing the knife still moving, kind of shimmering in the street.

I remember thinking I have to check if, you know, a million thoughts. I'm trying to holster, it's not working. I'm thinking, "Do I need, do I get Craig? Do I render it to him? Is he hurt? Is he alive? This and that." The gun's not going in, and I remember still hearing the patrol car engine, thinking again,

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"Where the hell are you guys at?"

And at this time, I hear a woman's voice, almost as if she's standing right next to me, screaming something to the effect, "Uh, my God. Someone's been shot. Someone's been shot over here." And kind of thinking, not only did I just shoot another human being who was trying to kill me as well as my partner and another person, who I have no idea who they are, but now I'm thinking, "Holy crap. Somebody across the street's been hit." Also, all the while dealing with the gun not going in the holster. So, I remember distinctly looking at my firearm and using both thumbs, telling myself, "Use both thumbs, decock it, watch it, and holster, and then go do whatever I need to do."

I have a clear recollection of handcuffing the suspect. I don't recall when I handcuffed him. I don't know if it was before I walked across the street to check. I don't know if it was after I came back, but I have a clear recollection of thinking to myself, "The knife is still close to him. His left hand is out. I don't know if he's alive." I remember having to remove, sweep—like the Academy, sweep the arm out from underneath him. I remember the way his right arm fell against the back of his body limpless. I remember handcuffing him and looking at my hands, and looking down at my clothes, and seeing how much, I now have blood all over me.

Again, I have a clear recollection of walking across the street and looking at the house, looking for broken windows. I remember looking up and down the sidewalk, praying that I don't see another human being on the ground. I remember looking at a couple of parked cars, looking for broken out windows, something

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to that effect. Not seeing anything, not seeing anybody. And then I remember turning and thinking to myself, "Did I just imagine hearing that voice or did someone really just scream that?"

I remember walking across the street again and seeing Officer Cabillo with the person I recognized as the victim. I see them talking. At this point…

INV. AULET: Where about?

OFC. REBOLI: They're at the rear of the blue vehicle.

INV. AULET: On the ground?

OFC. REBOLI: He is, he's sitting on the ground, like up against like the rear tire of the vehicle, and Officer Cabillo is leaning down next to him. I see them talking. I have tunnel vision still.

INV. AULET: Could you discern if this person was [redacted]?

OFC. REBOLI: At the time, I just saw Cabillo talking to somebody, and I remember thinking, "Uh, I wonder if that's the other guy?" But I was walking, because I saw Craig, and I immediately checked Craig. I remember asking him, "Where are you hurt?" and he just kind of stood there. And I remember physically using my hands and grabbed him, and like rubbed my hands on his shoulder, on his back, on his neck, and then looking at my hands to see if he has any blood, but then that's when I realized that's the suspect's blood. And I'm looking at Craig and not seeing anything.

INV. AULET: And when you specifically recall handcuffing the deceased behind his back, did you have to turn

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him over in order to do that?

OFC. REBOLI: I did not turn him over, no, he was still facing down. I had to sweep his arm from underneath him, and then handcuff him.

INV. AULET: And before you went across the street, did you stand up and walk towards the middle of the street first?

OFC. REBOLI: All those recollections I just said, I don't have a clear recollection of the order in which I did those things.

INV. AULET: This is what you described as everything went into slow motion?

OFC. REBOLI: Everything went in slow motion. I don't recall handcuffing him before I went over across the street. I don't recall, I just recall those incidents. I don't recall the chronological order of them.

INV. AULET: Why did you tell Homicide sergeants that you believed that if Amilcar had made it onto the street towards [redacted] that [redacted] would have been attacked, when you did not know where [redacted] was when you shot your weapon?

OFC. REBOLI: I knew the original victim, [redacted], like I said earlier, he was in no position to run. He was in no position to go anywhere.

INV. AULET: I see.

OFC. REBOLI: I knew he was in a very close proximity to myself, to the suspect.

INV. AULET: You didn't use it this time, but I recall you using the word, exhausted. Is that an accurate depiction of how he felt on your grasp when you initially grabbed him and

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began to escort him?

OFC. REBOLI: Again, when I grabbed him, there was, it was as if I was holding up his entire person. He had almost no, he had no energy to stand or run or do anything on his own. He, his chest, he was breathing quite heavily, but I didn't notice any sweat. So, I don't know if he was breathing heavy because of shock, because of fear, because of even running. I don't know, but he was breathing quite heavy, and he was just limp in my hand. Like putty in my hands, I guess would be a good way to describe him.

INV. AULET: And the female voice that you initially heard, could you later discern whether this was Officer Domonique Ellis?

OFC. REBOLI: I don't recall who it was. Again, at the time, I was even questioning if I even heard someone screaming, or if I was imagining it.

INV. AULET: And after you handcuffed the deceased's body on the ground, did you yell something at your partner?

OFC. REBOLI: Again, I don't know the, I don't recall the chronological order.

INV. AULET: But you did ask him to put it out on the air?

OFC. REBOLI: I remember telling Craig at some point, "Put this out." And I remember looking at the street signs or the street numbers on the houses.

INV. AULET: Yeah.

OFC. REBOLI: But again, I don't know if it was before I handcuffed him, if it was after, I don't recall.

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INV. AULET: And I understand what you're saying, what you're going at that point in time, what you're going through. Was that around the time that you're yelling at your partner to put it out, that you had discovered that you didn't have the PIC radio on you, because you couldn't do it yourself?

OFC. REBOLI: Possibly. Again, I don't have a clear recollection of any of those chronological events.

INV. AULET: Do you recall trying to get on the air yourself?

OFC. REBOLI: I don't, I remember seeing Craig with his hand, with his mic, but not hearing anything. But to be honest with you, I wouldn't be shocked if my voice is on the recording or if wasn't on the recording. I don't have any clear recollection of being on the radio.

INV. AULET: Did you feel an obligation to get on the air and put it out that shots had been fired, because you had discharged your weapon?

OFC. REBOLI: I knew it had to be broadcast, because now we have an entirely different event from the initial call for service. Again, I don't recall if I was the one that broadcast the shots fired or if it was somebody else.

INV. AULET: How many seconds do you estimate elapsed from the time you approached Amilcar to the time that you discharged your firearm?

OFC. REBOLI: I couldn't, I'd be guessing.

INV. AULET: But I don't want you to guess, and neither does your counselor. Was it a few seconds?

ATTY FURST: Well, if you don't remember, you don't

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remember.

OFC. REBOLI: Yeah. I have no definitive recollection of how many, how long it took.

INV. AULET: Well, shortly after the discharges of both of you, did you hear Dominique Ellis and Joshua Cabillo broadcast, "Shots fired," over the air?

OFC. REBOLI: I have no clear recollection of either of them broadcasting anything.

INV. AULET: Did you hear Officer Ellis also saying, "Blue on blue," when you were with the deceased?

OFC. REBOLI: No, sir. I don't have any clear recollection of anything that was being broadcasted or yelled.

INV. AULET: How about Officer Cabillo looking at both of you standing over the deceased, and asking, "What happened?"

OFC. REBOLI: I don't recall having any conversation with Officer Cabillo. The only time I realized he was there was when he was speaking with the initial victim.

INV. AULET: Well, he recalled both of you standing over the deceased and he asked that, but neither of you responded. You don't have any recollection of that?

OFC. REBOLI: Again, the only clear recollection I have of Officer Cabillo is him speaking to the victim at the back of the blue vehicle.

INV. AULET: And since you were across the street on the west sidewalk of Folsom Street, could you hear what he was saying?

OFC. REBOLI: Again, I have no clear recollection of anything Officer Cabillo was saying or doing, other than

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speaking to the initial victim at the base, or at the back of the vehicle.

INV. AULET: Did you see an officer giving CPR to the deceased?

OFC. REBOLI: I saw Officer Obidi tending to the suspect, and he was speaking to the suspect, like he was giving instructions of what he was going to be doing. I don't recall, it looked like he was performing CPR, but I can't recall exactly. But I do remember him near the suspect and speaking to him.

INV. AULET: Like kneeling?

OFC. REBOLI: Yeah. I believe he was on both his knees and was over the suspect.

INV. AULET: And where were you? In the middle of the street or on the west sidewalk at that point?

OFC. REBOLI: I have no clear recollection of where I was when I saw that.

INV. AULET: But you were west of the body?

OFC. REBOLI: I'll say it again. I have no clear recollection of where I was when I saw Officer Obidi doing that.

INV. AULET: You've heard the comments in the community and the complaint, and whatever's been written about this. Did Amilcar Perez drop the knife before your discharges?

OFC. REBOLI: No, sir.

INV. AULET: Where did you see the knife in relation to the body of the deceased?

OFC. REBOLI: Again, like I said, it was approximately three feet away from where the suspect was laying.

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INV. AULET: Did you see Officer Michael Mayo near Officer Obidi when you saw Officer Obidi applying chest compressions on the deceased?

OFC. REBOLI: I have no clear recollection of seeing Officer Mayo at the scene.

INV. AULET: But you know who he is?

OFC. REBOLI: I do know who he is, yes.

INV. AULET: And at no time, you saw him on-scene?

OFC. REBOLI: Again, I have no clear definitive recollection of Officer Mayo being at the scene.

INV. AULET: How many officers would you say you saw on-scene, before you saw Sergeant Anthony Montoya?

OFC. REBOLI: I have no clear recollection of the number of officers, either at the beginning of the scene or at the moment we were removed from it.

INV. AULET: When did you see Sergeant Anthony Montoya on-scene? What was happening when you saw him first?

OFC. REBOLI: Sergeant Montoya did the Public Safety questions. Asked me if I was involved in the shooting, asked me if I was hurt, the basic questions, and after that, he walked away. I don't know if he went to go ask Officer Tiffe the same questions, but my interaction with Sergeant Montoya was very brief.

INV. AULET: But you don't remember where you were when this occurred? In other words, where did he take your Public Safety statement?

OFC. REBOLI: It was at the scene, but I don't recall if it was in the street or if it was on the sidewalk.

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INV. AULET: When Sergeant Montoya asked you in what direction did you shot, what did you say, and how did you simulate that direction?

OFC. REBOLI: I don't have any clear recollection of my direct answers to Sergeant Montoya?

INV. AULET: Still? Not even the location where that was made?

OFC. REBOLI: No, sir.

INV. AULET: Do you remember saying that you went across the street after hearing someone say, "Someone was shot over there"? Meaning the west sidewalk where you said that you looked at a couple of cars and looked on the sidewalk and saw no property damage. Correct?

OFC. REBOLI: Correct.

INV. AULET: Do you remember going back to the east sidewalk, where your PIC radio had fallen, and you had a conversation with your partner?

OFC. REBOLI: Like I said earlier, I remember that. I don't remember the chronological order of whether I talked to Officer Tiffe before I went across the street or if it was after I came back.

INV. AULET: And that doesn't help you remember where you were when Sergeant Montoya asked you those Public Safety statement questions?

OFC. REBOLI: No, sir.

INV. AULET: Where did your radio actually fall?

OFC. REBOLI: I have no idea where it fell. It must have been on the sidewalk, but I don't know. I don't know if I picked

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it up. I don't recall if Officer Tiffe picked it up and handed it to me. I have no clear recollection of when I got my radio back.

INV. AULET: Or how?

OFC. REBOLI: Or how, yes.

INV. AULET: So, you don't remember going back to the east sidewalk to pick it up yourself, and conversing with your partner there?

OFC. REBOLI: Again, I remember walking back across the street, but I don't recall if that was, if I spoke to Officer Tiffe at that moment, or if I spoke to him before I walked across the street.

INV. AULET: Do you recall seeing about 30-some members on this street, on or around the crime scene, before you left the station?

OFC. REBOLI: Thirty police officers?

INV. AULET: Or more, yes.

OFC. REBOLI: I don't. I recall seeing several officers. Who they were, I don't recall.

INV. AULET: All right. Did you see Sergeant Thomas Fong on-scene?

OFC. REBOLI: I don't recall seeing him, no.

INV. AULET: He didn't approach you?

OFC. REBOLI: I have no clear recollection of Sergeant Fong.

INV. AULET: How about Lieutenant Mark Im?

OFC. REBOLI: I don't have any recollection of having any interaction with Lieutenant Im.

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INV. AULET: On-scene?

OFC. REBOLI: On-scene or even at the station. So, no.

INV. AULET: Okay. How about Captain Daniel Perea?

OFC. REBOLI: No, sir. I don't recall seeing him at the scene.

INV. AULET: And you never heard him speaking with [redacted] in Spanish while you were still on-scene?

OFC. REBOLI: No, sir. I don't recall.

INV. AULET: Okay. And he never approached you to find out if you were okay, Captain Perea?

OFC. REBOLI: I don't have a clear recollection of that. No, sir.

INV. AULET: This diagram in front of you, that includes the east sidewalk of Folsom Street, two parked cars on the east sidewalk of Folsom Street, two trees with their foliages, and square sandboxes around them. What happened to your unmarked, silver Crown Victoria?

OFC. REBOLI: I'm sorry? From this diagram?

INV. AULET: No. This is just a diagram I'm offering to you as I proceed. But do you know what happened with your unmarked Crown Victoria?

OFC. REBOLI: I have no idea what happened with this, the plainclothes car, no.

INV. AULET: Was it left double-parked in the northbound direction, somewhere behind the blue Nissan?

OFC. REBOLI: From the time I exited the vehicle, I have no clear recollection as to what happened to it after that.

INV. AULET: Officer Silvestri transported you from the

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scene back to Mission Station in a marked car that was identified as BW051. Do you know if Officer Silvestri transported you in a marked vehicle to the station?

OFC. REBOLI: I don’t recall who transported me back to the station. I have a vague recollection of Officer Silvestri, only because I remember him being at Mission Station for the time being, but I can’t recall that he was the one that transported me back or not.

INV. AULET: Were you still in a daze, when even, while you were transported to the station?

OFC. REBOLI: I must have been, because I don’t have a clear recollection of who drove me. I remember being driven back.

INV. AULET: Yeah.

OFC. REBOLI: And I remember seeing how much blood I had on me, as well as my clothes. I remember requesting that they kind of hurry this up, I wanted to wash my hands. I wanted to get out of the clothes.

INV. AULET: So, you remember specifically Officer Silvestri driving slowly to the station?

OFC. REBOLI: Again, I'm going to say this again. I do not recall who drove me back. I remember being driven back. I remember driven back and I remember making that request to hurry this up a bit.

INV. AULET: To the one driving you back?

OFC. REBOLI: Correct.

INV. AULET: Okay. And that’s because you wanted to wash your hands, the blood out of your hands?

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OFC. REBOLI: Correct.

INV. AULET: Okay. Officer Lewin-Tankel transported your partner, Officer Tiffe from Folsom Street back to Mission Station to sequester both of you. Did you see when Officer Lewin-Tankel proceeded to transport your partner into a patrol car?

OFC. REBOLI: I have no clear recollection of who transported Officer Tiffe, nor at this point, do I have a clear recollection of who that officer is.

INV. AULET: And were you separated by Sergeant Montoya or anyone on Folsom Street, when your public statements taken and thereafter?

OFC. REBOLI: Yes.

INV. AULET: And do you have any recollection of how was involved in doing that?

OFC. REBOLI: No.

INV. AULET: Did you hear the sergeant that gave those officers directives to transport both of you back to the station?

OFC. REBOLI: I had no idea which sergeant ordered that.

INV. AULET: You couldn't tell me whether it was Sergeant Montoya or Sergeant Petuya?

OFC. REBOLI: I have no idea who.

INV. AULET: Did you see Sergeant Petuya on-scene?

OFC. REBOLI: I have no recollection of Sergeant Petuya being on-scene.

INV. AULET: Do you know in which vehicle was Officer Tiffe transported to the station?

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OFC. REBOLI: No.

INV. AULET: Do you know or did you hear whether it was in your same unmarked patrol vehicle?

OFC. REBOLI: I have no clear recollection of how Officer Tiffe arrived back at Mission Station.

INV. AULET: Did Officer Silvestri keep you from coming in contact with any witness or officers until CSI Officer Nibungco arrived with Officer Shakur to photograph you?

OFC. REBOLI: I don’t have any clear recollection of having interaction with Officer Silvestri. There was another officer I never met before, and I've only seen once or twice since. I don’t recall what that officer’s name was. It was an officer not familiar to myself. That was the officer that was tasked with kind of being near me, but I don’t have any clear recollection of Officer Silvestri being around me that night.

INV. AULET: So, you were sequestered by some officer that is not from Mission Station?

OFC. REBOLI: I believe so, yes.

INV. AULET: And it was not the same officer who photographed you?

OFC. REBOLI: No. The officer who photographed me was from CSI.

INV. AULET: Right. And did you see that photographer officer arrive with another officer?

OFC. REBOLI: No, sir.

INV. AULET: Okay. And the person who was with you was in uniform?

OFC. REBOLI: They were in, I believe, BDUs.

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INV. AULET: And were you sequestered in the sergeant's office?

OFC. REBOLI: No.

INV. AULET: Where were you sequestered?

OFC. REBOLI: At first, I was in the, what is the line-up room, which is where the…

INV. AULET: On the first floor?

OFC. REBOLI: On the first floor. Then I was moved upstairs to the break room, and it was just myself and that other officer for the majority of the time.

INV. AULET: The same officer?

OFC. REBOLI: Yes.

INV. AULET: And do you know Sergeant Anthony Ravano from Homicide Detail?

OFC. REBOLI: I do.

INV. AULET: Did you hear Sergeant Ravano or either of the CSI officers talking about your unmarked vehicle while all of you were in the station?

OFC. REBOLI: I don't recall seeing Sergeant Ravano at the scene or at the station.

INV. AULET: Really? Is it your recollection that you remained at Mission Station past three in the morning?

OFC. REBOLI: I know it was late, but I have no idea how late I was there to.

INV. AULET: Okay. I'm going back to the scene of the crime to ask you some additional questions. All right?

OFC. REBOLI: The scene of the incident?

INV. AULET: It was a crime scene. Did you…strike that.

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Was there an officer standing next to the knife when you and your partner were still on the scene?

OFC. REBOLI: I have no clear recollection of any officer standing next to it, the knife, no.

INV. AULET: Did you, at any time, move the knife?

OFC. REBOLI: No.

INV. AULET: Did you see anyone moving the knife?

OFC. REBOLI: No.

INV. AULET: Did anyone say in your presence that the knife had been moved?

OFC. REBOLI: No.

INV. AULET: Did you see anyone other than yourself and Officer Obidi touching the body of the deceased?

OFC. REBOLI: Did I?

INV. AULET: Uh-huh.

OFC. REBOLI: No, sir.

INV. AULET: Did you see a medic on-scene with the deceased?

OFC. REBOLI: No.

INV. AULET: Did anyone tell you or you heard someone say that the deceased was turned over for any reason?

OFC. REBOLI: I believe, when Officer Obidi was providing CPR, he had turned the suspect over onto his back.

INV. AULET: But you didn’t hear anyone else talking about that, this is your observation. Correct?

OFC. REBOLI: Correct.

INV. AULET: And you didn’t hear anyone say anything about the body being turned over or moved?

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OFC. REBOLI: To my recollection, no. I have no clear recollection of that.

INV. AULET: Did you spot any of the cartridge casings in the crime scene?

OFC. REBOLI: Did I spot? I don't recall. No, I don't recall seeing any of the expended casings.

INV. AULET: Did you return to this officer involved shooting crime scene?

OFC. REBOLI: Several hours later, yes.

INV. AULET: And why did you return?

OFC. REBOLI: We were driven out there with Homicide. I believe it was Sergeant Dedet, and we did a brief walk-through, and then we were transported back to Mission Station.

INV. AULET: Okay. And Sergeant Dedet was the only one from Homicide that went with you?

OFC. REBOLI: He's the only person I have a recollection of.

INV. AULET: Yeah. He's the short, Latin sergeant that has retired since?

OFC. REBOLI: I don't know if he's retired or not.

INV. AULET: Yes, he was promoted and retired.

OFC. REBOLI: Uh, okay.

INV. AULET: So, do you recognize him as a Latin male? Short with a thick mustache?

OFC. REBOLI: That sounds like sergeant, or I guess, Lieutenant Dedet. I knew him as Sergeant Dedet.

INV. AULET: Back then, he was a sergeant. So, I heard you say that you don't recall seeing or hearing Sergeant Anthony

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Ravano, who you said you don't know, did you at least go with a second sergeant from Homicide, also back to the crime scene?

OFC. REBOLI: Actually, I said I do know Sergeant Ravano. I believe I was transported with Sergeant Dedet. I don't recall how I got back to Mission Station after the walk-through, but my only clear recollection is with Sergeant Dedet.

INV. AULET: So, you were both separated and both of you went back, you and your partner, or just you?

OFC. REBOLI: I think it was just myself, and I think it was the same officer that was shadowing me that went with me.

INV. AULET: Okay. And what was the purpose of returning to the crime scene?

OFC. REBOLI: You would have to ask the Homicide investigators.

INV. AULET: But they didn't question you while you were walking… Is that…strike that. Did they refer to this walk-through as a final walk-through or second walk-through?

OFC. REBOLI: I don't recall what they described it as.

INV. AULET: But they didn't have a conversation with you?

OFC. REBOLI: They called it just a walk-through at the scene.

INV. AULET: Yes, but did they speak with you, ask you questions while you were there?

OFC. REBOLI: I'm sure they did, yes.

INV. AULET: Do you recall what they asked you?

OFC. REBOLI: I don't have a clear recollection of the questions they were asking me.

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INV. AULET: Were you on the east sidewalk or the west sidewalk when you returned to the crime scene?

OFC. REBOLI: I don't have a clear recollection of being at the crime scene for very long. I don't recall if we walked on the sidewalk or if we walked in the middle of the street. I just remember being transported back to the crime scene, and then taken back to Mission Station.

INV. AULET: Did they ask you to have you describe to them anything that happened?

OFC. REBOLI: Again, I don't have a clear recollection of the questions that they were asking me.

INV. AULET: Uh-huh. Was your counselor with you when they went with you there?

OFC. REBOLI: I believe there was an attorney, a POA attorney that was with us. It was not, I don't believe it was Attorney Furst.

INV. AULET: Okay. Counselor, do you have any questions for your client?

ATTY FURST: I do. Okay. First, I want to ask you a question about language. Okay? You have used the term, clear recollection, quite a number of times during the questioning by Investigator Aulet. What do you mean by that? Is that your way of saying that you don't remember or are you saying that there's some vague remembrances?

OFC. REBOLI: I don't have a clear remembrance of the incidents or in the situations that he was asking me in those direct questions.

ATTY FURST: Okay. So, forgive me for being picky, but

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when you say, clear remembrance, there are things that you don't remember at all. Is that correct?

OFC. REBOLI: Yes, sir.

ATTY FURST: All right. And so, we don't want to go over all of them, but some of those answers were really, I don't remember?

OFC. REBOLI: Yes.

ATTY FURST: Okay. I'm going to ask you another question about [inaudible]. Investigator Aulet referenced the issue of Spanish language on more than one occasion. Was the issue of Spanish language of any consequence during this incident to you? I mean, did you hear Spanish and not understand it? Or did you, when you said you heard the person speaking, the one that you detained or that you held onto, you're not saying that he was speaking Spanish and didn't understand it, he was speaking and you just didn't understand anything?

OFC. REBOLI: Correct. I wasn't comprehending what language he was speaking or even what he was saying. I just saw and heard, saw his mouth moving and heard his voice, but I can't, I have no memory of whether it was English or Spanish.

ATTY FURST: So, does the issue of Spanish play any part at all in this incident, as far as you're concerned?

OFC. REBOLI: No.

ATTY FURST: Okay.

INV. AULET: I think your client elaborated and he described that the exhaustion or the breathing out of this man was so severe that maybe that's why he couldn't even pronounce or you could understand what he was trying to say. Is that

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correct, Officer Reboli?

OFC. REBOLI: There's several possible reasons. One, he was too exhausted to speak or speak up. Two, he was facing away from me, and in combination of being exhausted, wasn't speaking loud enough for me to hear. Or three, that this was all taking, happening so quickly, and my observation of what Officer Tiffe was involved in that I wasn't comprehending what he's speaking, what he was saying.

ATTY FURST: Okay. But I want to, despite what Investigator Aulet just said, the reference to Spanish on a number of questions is, I want to know if that has any impact at all in this situation?

OFC. REBOLI: No, sir.

ATTY FURST: Okay. I want to direct your attention to the issue of pepper spray. You would discuss the fact that you were reaching for or you didn't know where your pepper spray was. Is that accurate?

OFC. REBOLI: I think it was in reference to a question that Investigator Aulet was asking, a direct question.

ATTY FURST: Okay. So, what is the purpose of pepper spray?

OFC. REBOLI: Pepper spray is a less lethal tool you use to incapacitate a subject in a lower escalation of force, to detain them or take them into custody.

ATTY FURST: So, given the incident as you recall it, is pepper spray a viable alternative for you?

OFC. REBOLI: Absolutely not. Not to deploy on the subject.

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ATTY FURST: Okay. And there was also the mention of, to be quite frank, I didn't even know this term, the yawara stick. Is that the proper pronunciation?

OFC. REBOLI: Yes. That's the impact weapon that the Department issues to plainclothes officers.

ATTY FURST: Okay. And was that a viable alternative during this incident?

OFC. REBOLI: No, absolutely not.

ATTY FURST: And you said absolutely not to both pepper spray and yawara stick. Explain why.

OFC. REBOLI: The suspect had a very large edged weapon, and we were well within the 25-foot, it's referred to in different circles, but it's kind of considered a kill zone, and that's how it was described to me as well, throughout my martial arts training as well as within the Academy. The theory is that a subject that's armed with a bladed knife, a bladed edge weapon, can kill you within 25 feet. They can advance on you so quickly that you will not have time to defend yourself with a firearm.

ATTY FURST: So, there are civilians who think that if the person is five, six, seven feet away from you that you have plenty of time to diffuse the situation. Is that foreign to what you're just talking about?

OFC. REBOLI: Absolutely, yes.

ATTY FURST: Okay. Could you have diffused the situation by any other means?

OFC. REBOLI: Absolutely not.

ATTY FURST: Okay. In describing this incident, you

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never really expressed the concept of fear. Were you afraid?

OFC. REBOLI: Absolutely.

ATTY FURST: And what were you afraid of?

OFC. REBOLI: I initially feared for my partner's safety when I saw him engaged in the struggle, in the fight with the suspect. Again, I know my partner since the Academy. We've been partners for the majority of our careers. Officer Tiffe is not one to physically engage people. So, the fact that he was struggling with the suspect, heightened the situation. I knew in order for Craig to be doing that, he was either under attack or he feared immediately for his life and safety. Once I saw the force at which the suspect slashed at him, and the size of the knife, and the way he was slashing at me with the knife, given the extreme close nature to where my body was in relation to him, I knew my life was well within, I was well within that kill zone.

It was an immediate danger and I feared for my life, as well as knowing the original victim would have been unable to defend himself, due to his state, and was within, so close to where we were all at. I believe that the attack on the victim would have continued, had I not defended my life as well as his life. And at the time that I'm giving my order and interacting with the suspect, I'm also under the realization that Officer Tiffe is severely wounded, if not dead at that moment. So, I feared for Officer Tiffe's life and in need of immediate medical attention, as well as my life being threatened with him with a deadly weapon.

ATTY FURST: Okay. One of the things that you said that

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the person with a knife was in constant motion. Explain that a little bit.

OFC. REBOLI: From the moment I saw Officer Tiffe struggling with the suspect, until he fell to the ground and stopped moving, he was in constant motion. He was always moving. At no point did he just stop and stand static, like a mannequin, at no time. He was constantly, he was fighting with Craig, Officer Tiffe, when he slashed at him and he started running directly at me. Even to the point where he stopped his momentum from running, he was still in front of me, but he was also still moving and turning his body, as well as slashing the knife in the air, in-between him and I. So, I may have described, he stops his momentum from running, but at no point did I mean to allude to the fact that he had ever stopped his actual body or his movements.

ATTY FURST: Did you still feel that you, that there was a threat to your safety?

OFC. REBOLI: Absolutely. Again, I was five, six feet, I was way too close, and the way he was moving the knife around, he could have easily attacked me and plunged the knife into me, even as I'm firing the weapon.

ATTY FURST: Okay. I have no further questions.

INV. AULET: Officer Reboli, is there any other statement relevant to this incident that you wish to make at this time?

OFC. REBOLI: I don’t believe so. I believe I've answered truthfully and as clearly and as honestly as I could to your questions.

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INV. AULET: Is there any other statement relevant to this incident that you wish to make at this time?

OFC. REBOLI: Again…

INV. AULET: I'm sorry, I think I already asked that question.

OFC. REBOLI: Okay.

ATTY FURST: I think it’s a repetition of the question.

INV. AULET: Yeah, yeah. The other one is, is there any witness or evidence that you intend to submit on your behalf?

OFC. REBOLI: To you? I didn’t know there was an option, but no, I don’t know who’s been called. I was just told to come down and answer your questions.

INV. AULET: Very good. In that case, we’ll conclude the interview at 6:24 p.m. Thank you.

END OF DOCUMENT

SFDPA - 0179-14 - 000289

DETAIL: HOMICIDE

CASE: 150 . 178 . 555

MEO #:

DATE PHOTOGRAPHED: 2 . 26 . 15

TIME:

SUBJECT / NAME:

LOCATION / ADDRESS: 24TH ST + FOLSOM

ADDITIONAL INFO:

ORDERED BY:

STAR:

PHOTOGRAPHER: SHAKUR (VIDEO)
NIBUN GOO (PHOTO)

STAR: 2476
2370

MEDIA TYPE:

NUMBER OR NEGS:

THIS ENVELOPE IS FOR SAN FRANCISCO POLICE DEPARTMENT FILM/NEGATIVES.

INCHES

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SFDPA - 0179-14 - 000290

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EMERGENCY 911

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SFDPA - 0179-14 - 000299

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POLICE LINE DO NOT CROSS
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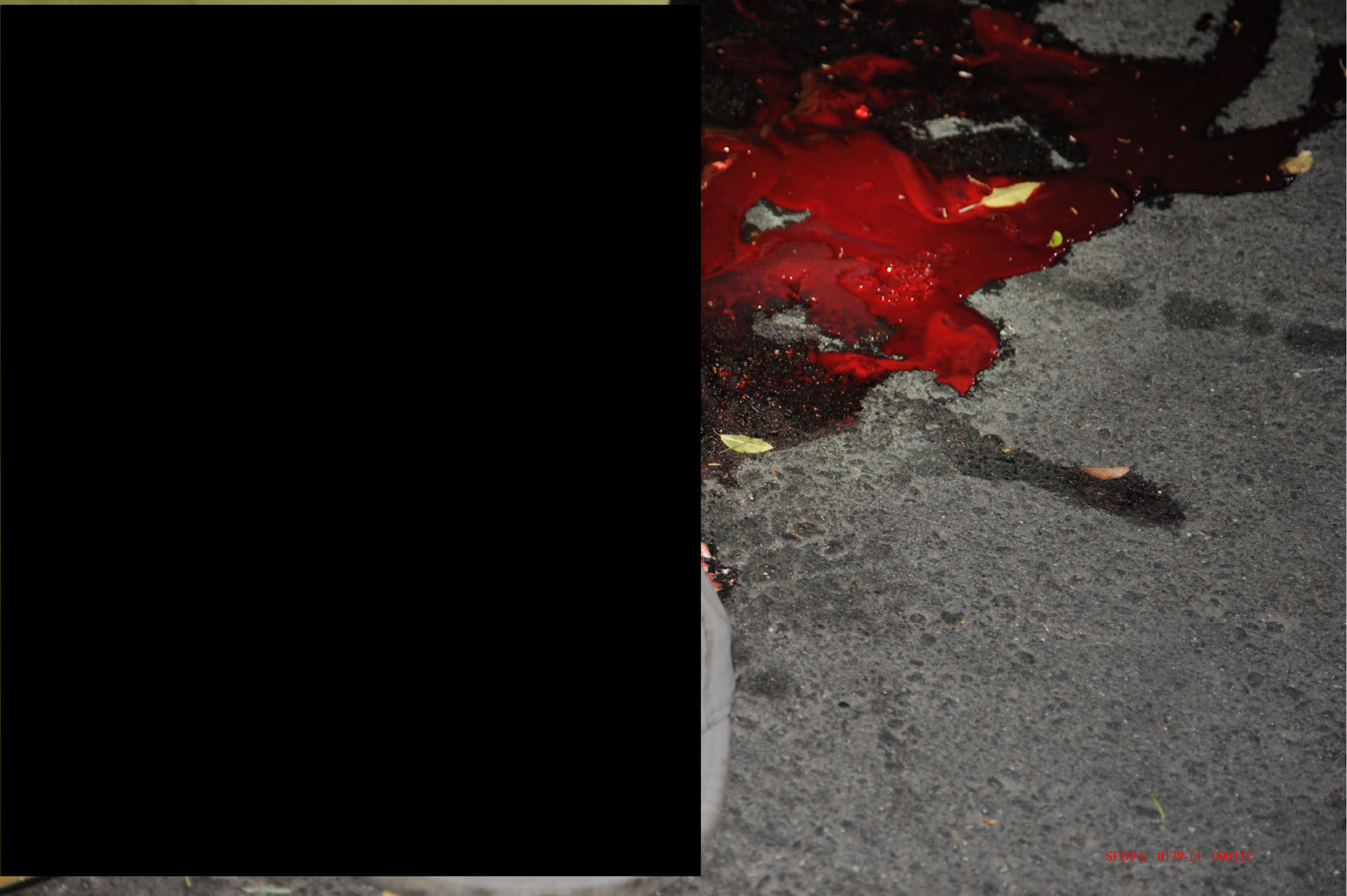

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SFDPA - 0179-14 - 000352

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SFDPA - 0179-14 - 000361

SFDPA - 0179-14 - 000366

Elite
Protective
Nitrile
LARGE

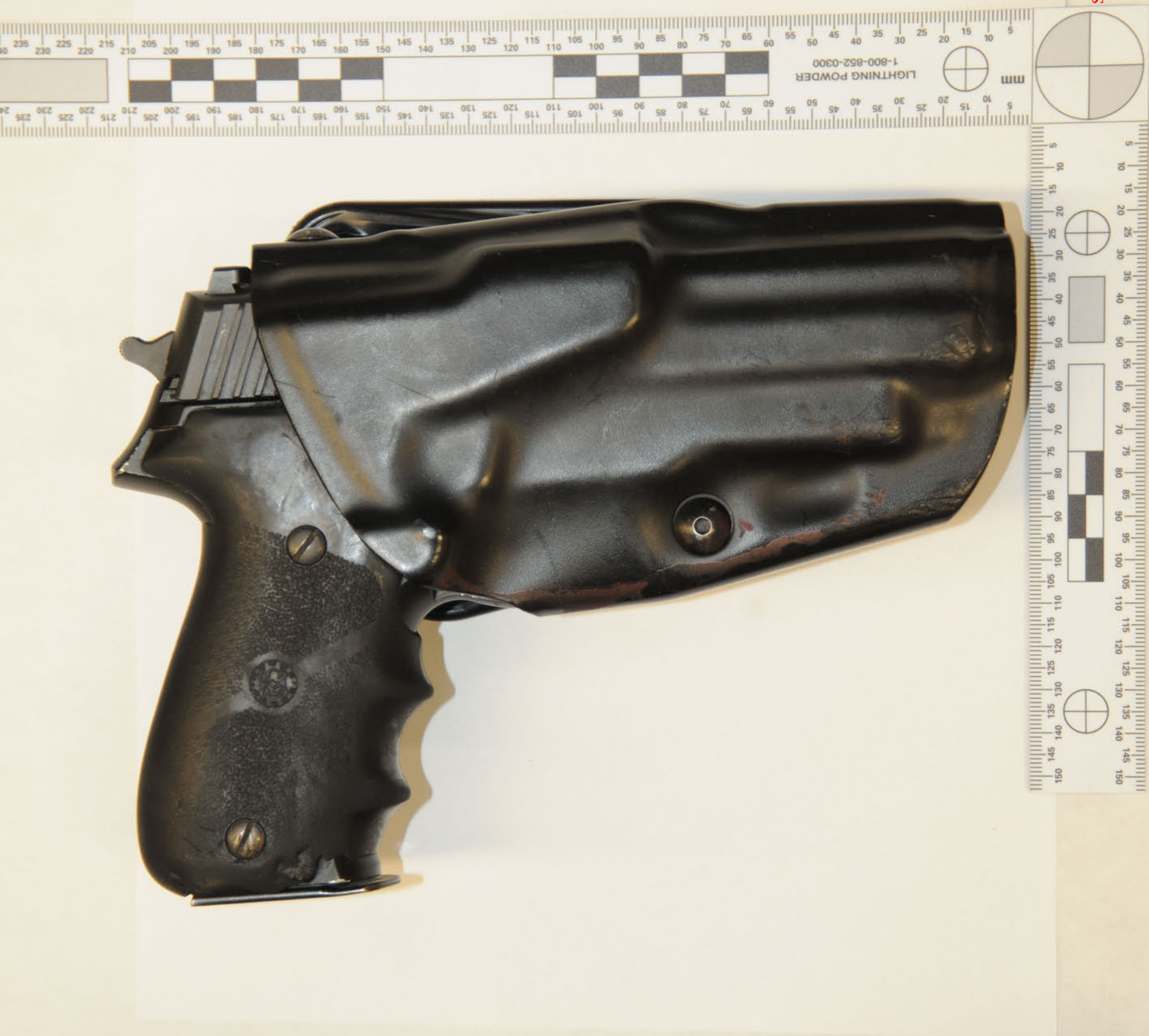
150-178-555
OIS (02/26/15)
DATE OF PHOTO: 02/27/15

150-178-555
OFC REBOLI #1651
FIREARM

SFDPA - 0179-14 - 000368

150-178-555
OIS (02/26/15)
DATE OF PHOTO: 02/27/15

150-178-555
OFC REBOLI #1651
FIREARM



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DATE OF PHOTO: 02/27/15

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FIREARM

SFDPA - 0179-14 - 000370

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

150-178-555
OFC REBOLI #1651
FIREARM

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SFDPA - 0179-14 - 000373

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

150-178-555
OFC REBOLI #1651
FIREARM

.40 S&W
-SIGARMS INC.EXETER NH-
FRAME MADE IN GERMANY
[redacted]

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

SIGARMS INC.EXETER NH
FRAME MADE IN GERMANY
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DATE OF PHOTO: 02/27/15

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FIREARM

DATE OF PHOTO: 02/27/15

FIREARM

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

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DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

SFDPA - 0179-14 - 000383

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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FIREARM

SFDPA - 0179-14 - 000386

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DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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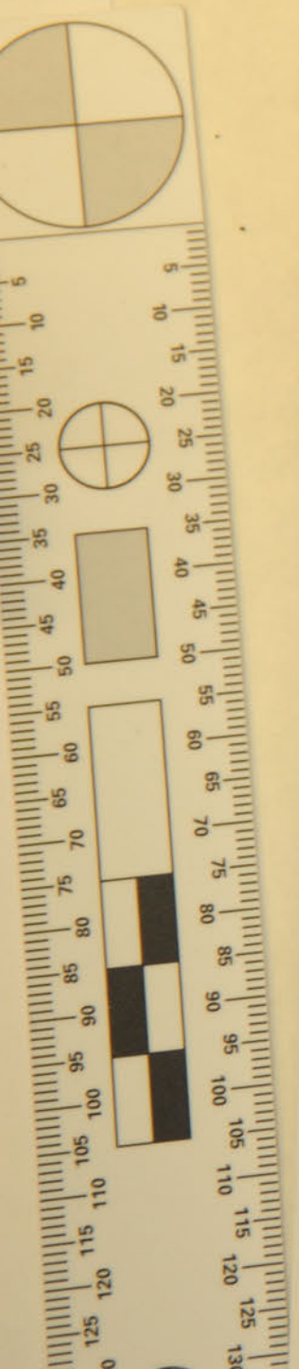
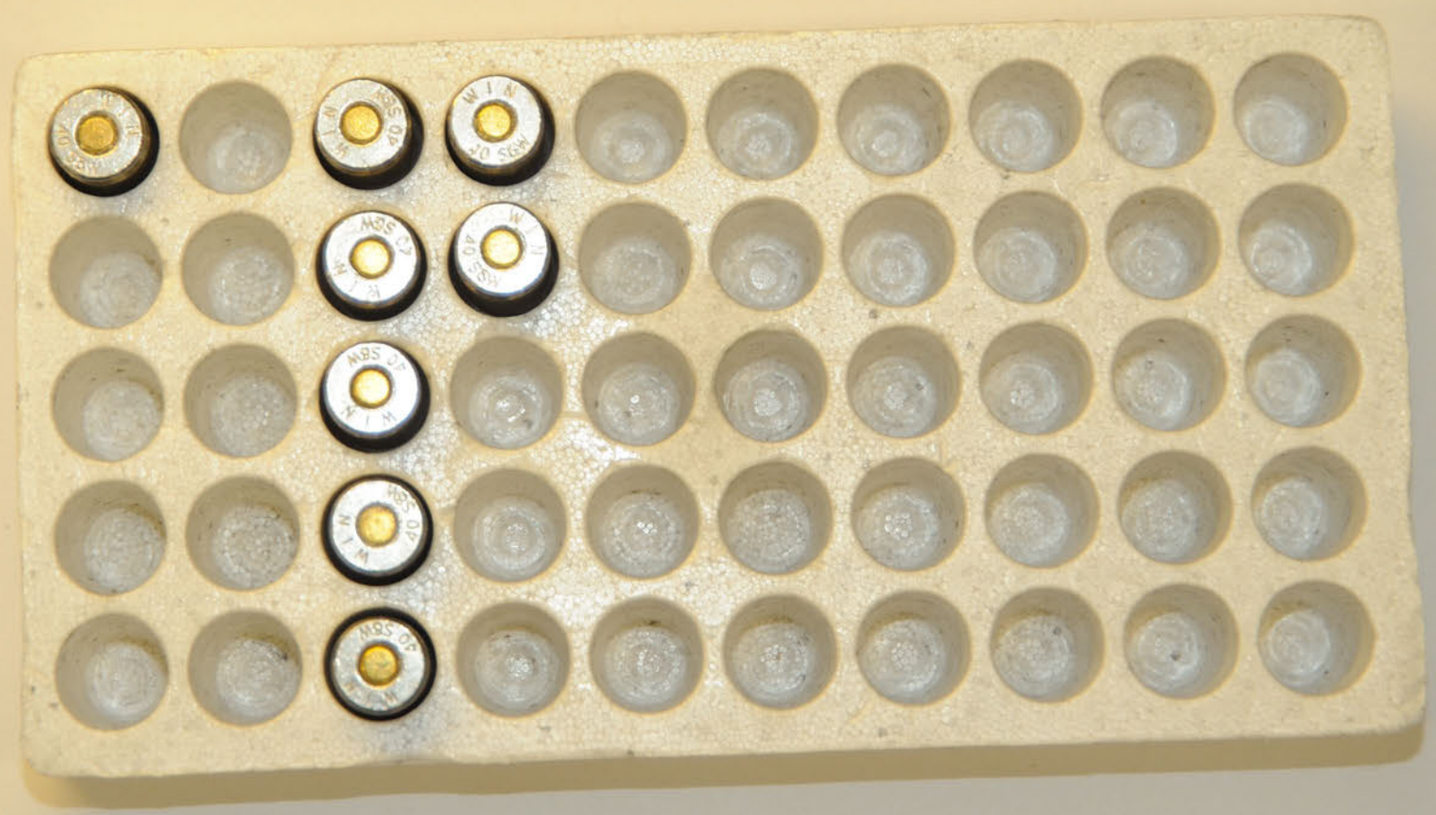
OFC REBOLI #1651
FIREARM





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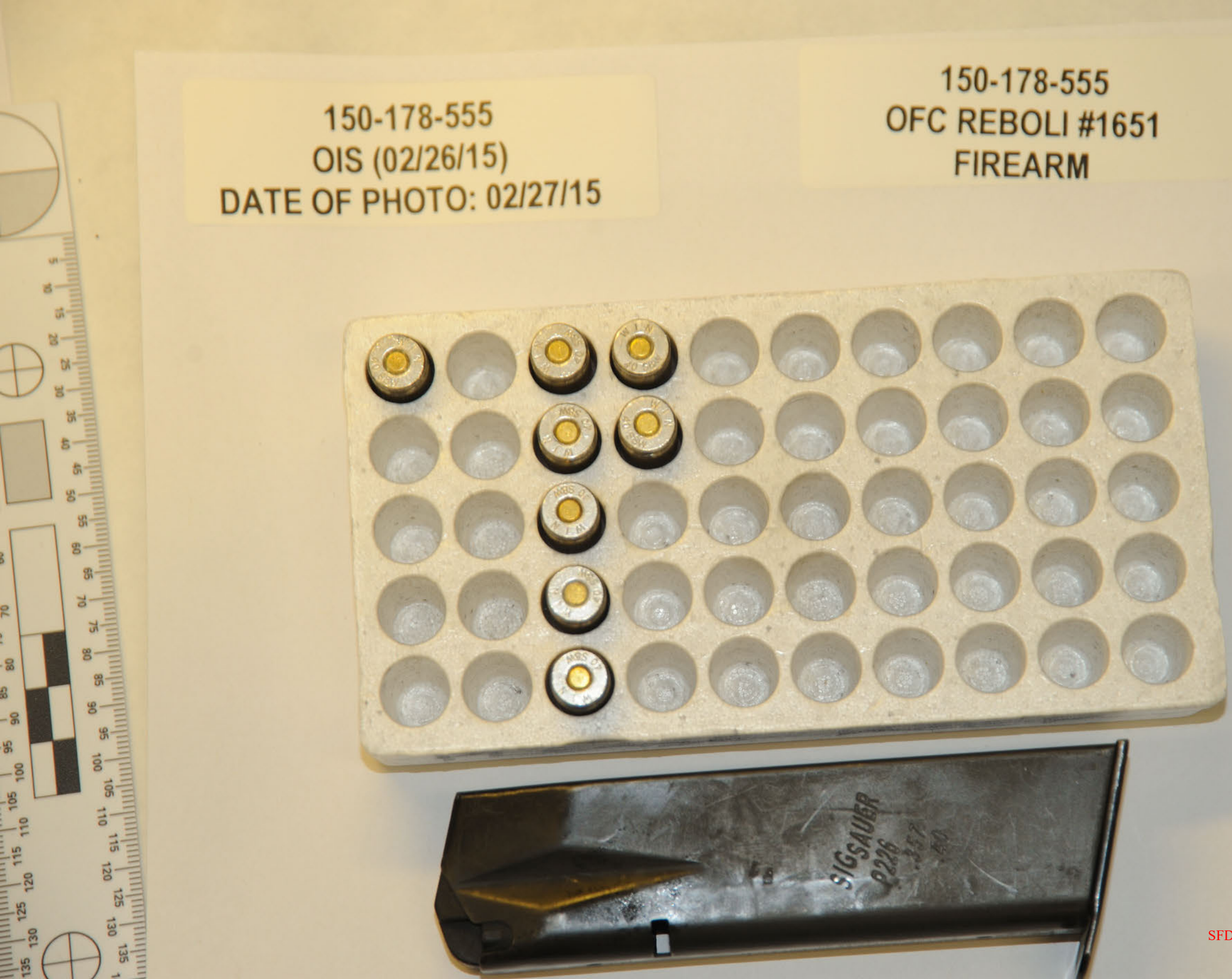
FIREARM



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DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

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DATE OF PHOTO: 02/27/15

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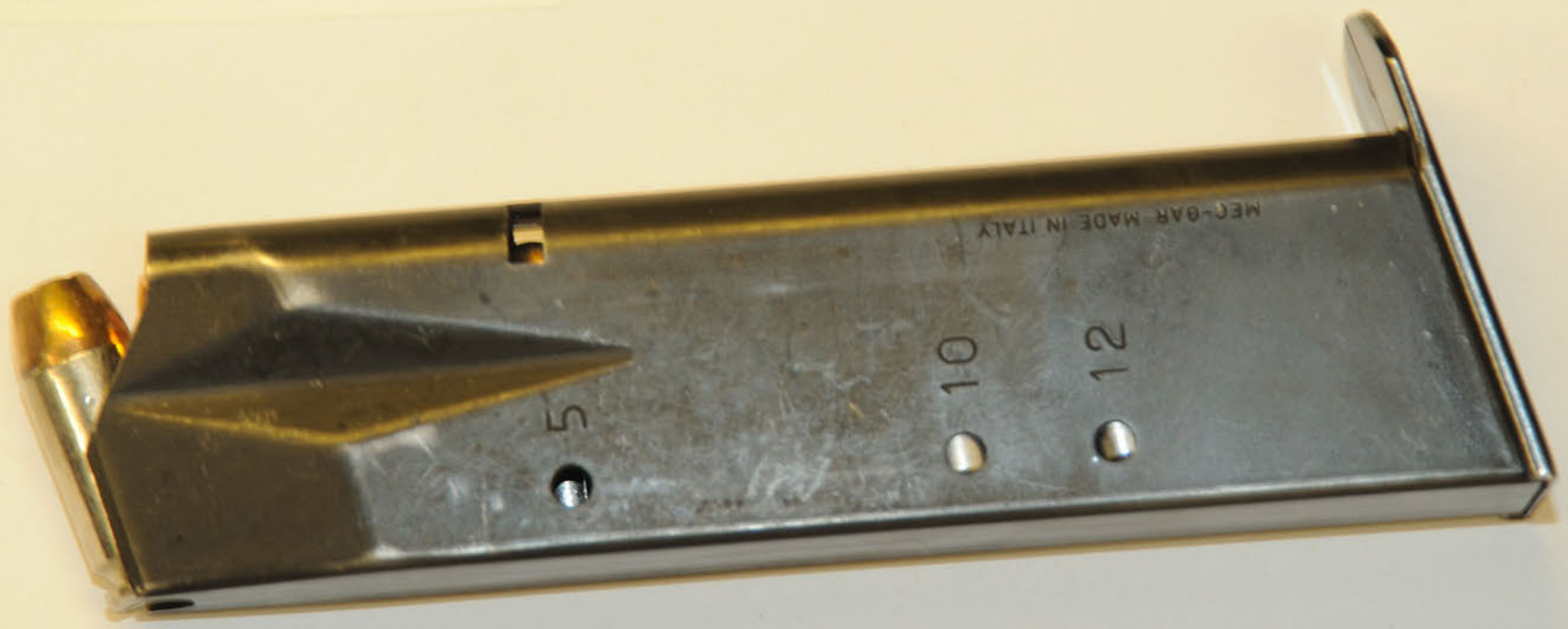
FIREARM



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FIREARM

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OFC REBOLI #1651
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DATE OF PHOTO: 02/27/15

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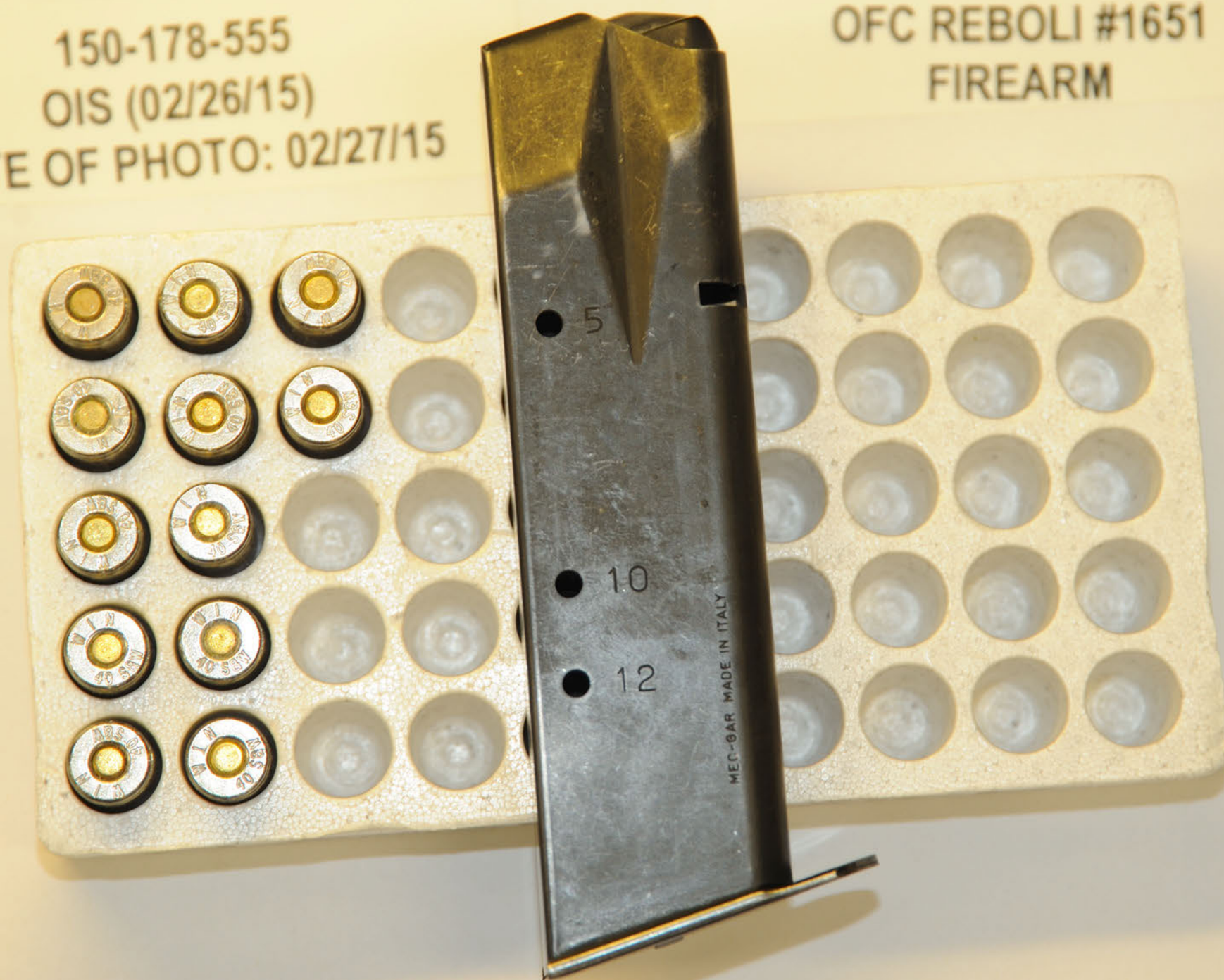

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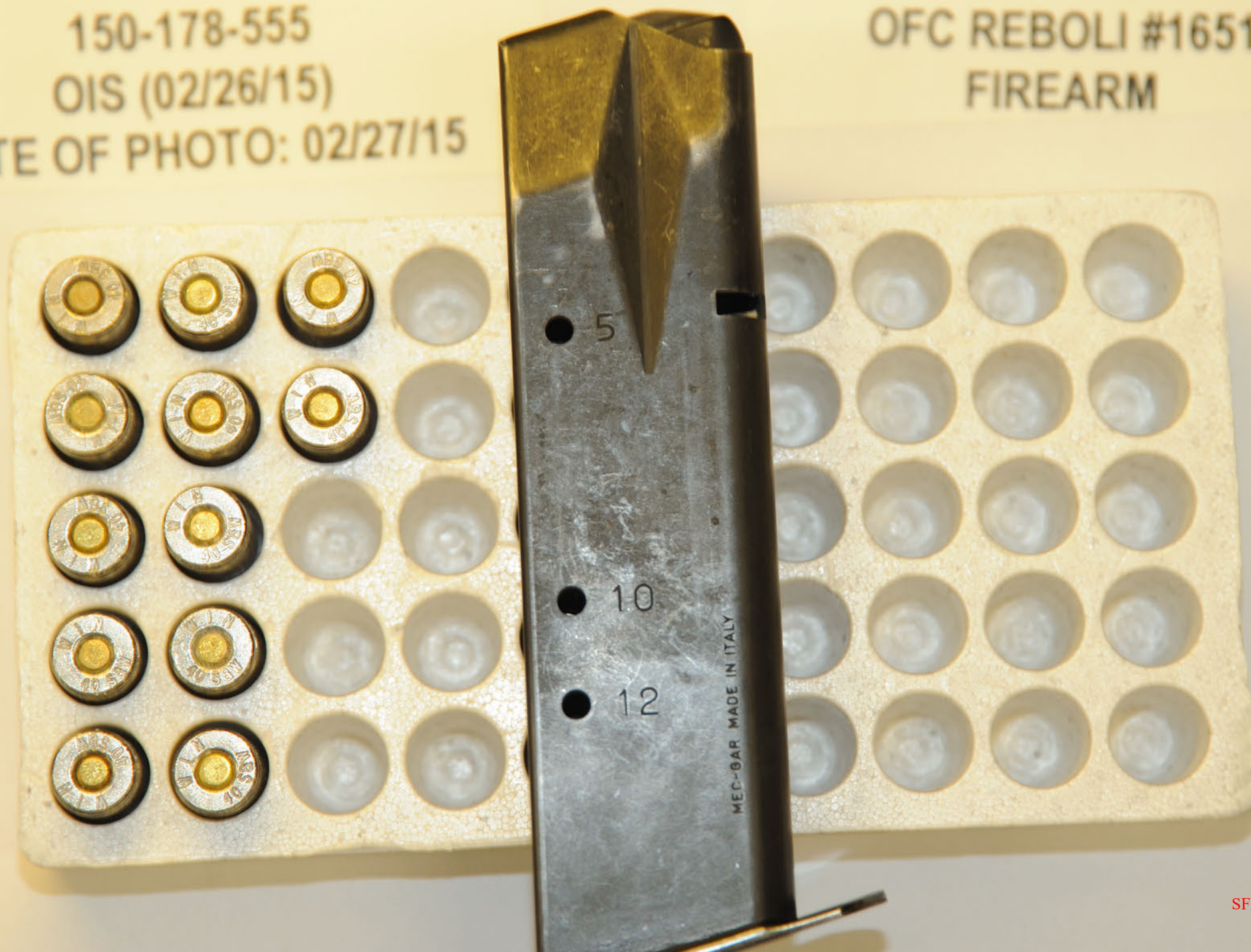
FIREARM



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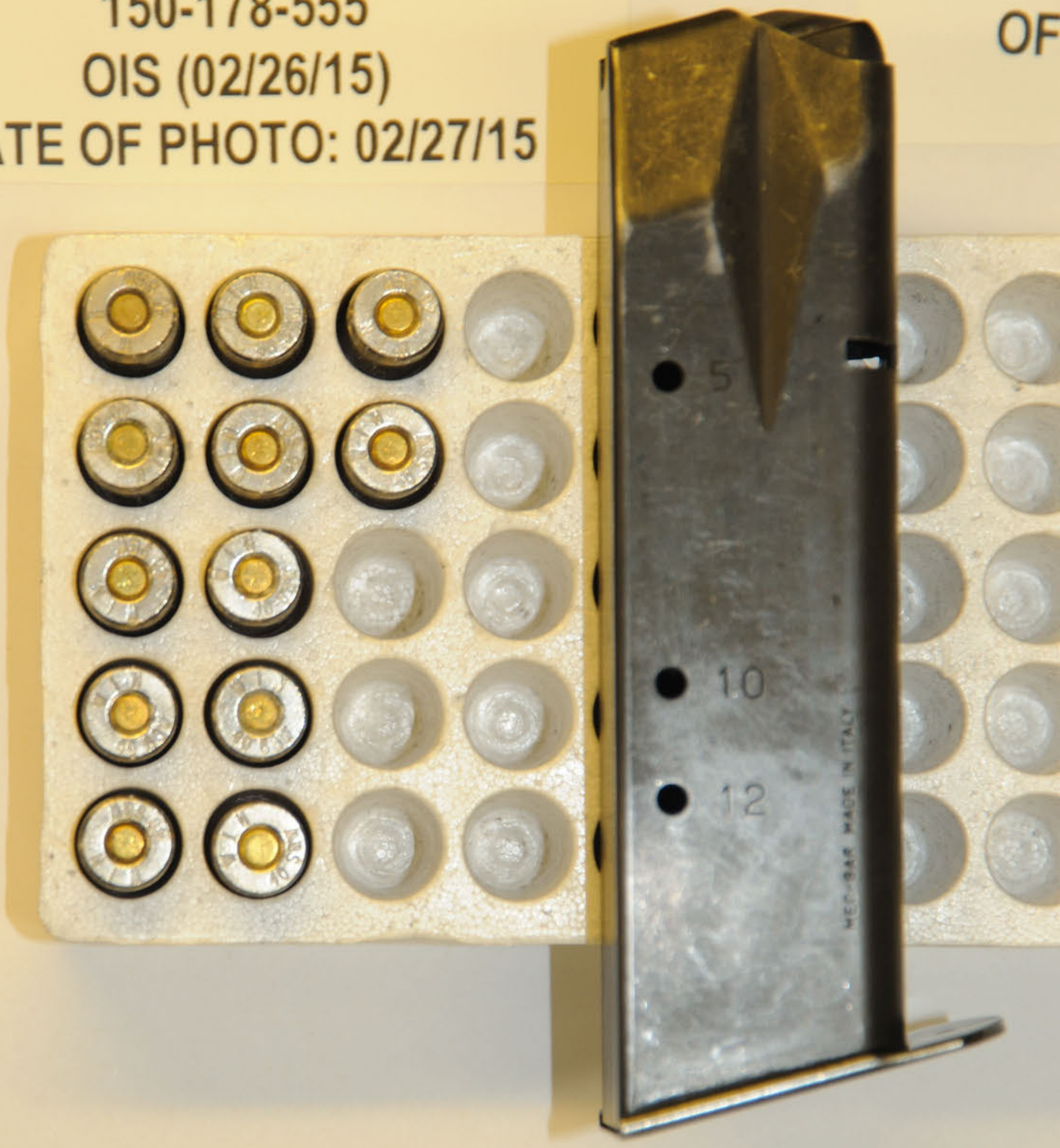

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DATE OF PHOTO: 02/27/15

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OFC REBOLI #1651
FIREARM

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FIREARM

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OFC TIFFE #1312
FIREARM

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DATE OF PHOTO: 02/27/15

150-178-555
OFC TIFFE #1312
FIREARM

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150-178-555
OIS (02/26/15)
DATE OF PHOTO: 02/27/15

150-178-555
OFC TIFFE #1312
FIREARM

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DATE OF PHOTO: 02/27/15

OFC TIFFE #1312

FIREARM

LIGHTNING POWDER
1-800-852-0300
[redacted]

DATE OF PHOTO: 02/27/15

OFC TIFFE #1312

FIREARM

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

OFC TIFFE #1312
FIREARM

OIS (02/26/15)

DATE OF PHOTO: 02/27/15

OFC TIFFE #1912

FIREARM

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DATE OF PHOTO: 02/27/15
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OFC TIFFE #1312
FIREARM
SIGSAUER
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DATE OF PHOTO: 02/27/15

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FIREARM

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DATE OF PHOTO: 02/27/15

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FIREARM

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DATE OF PHOTO: 02/27/15

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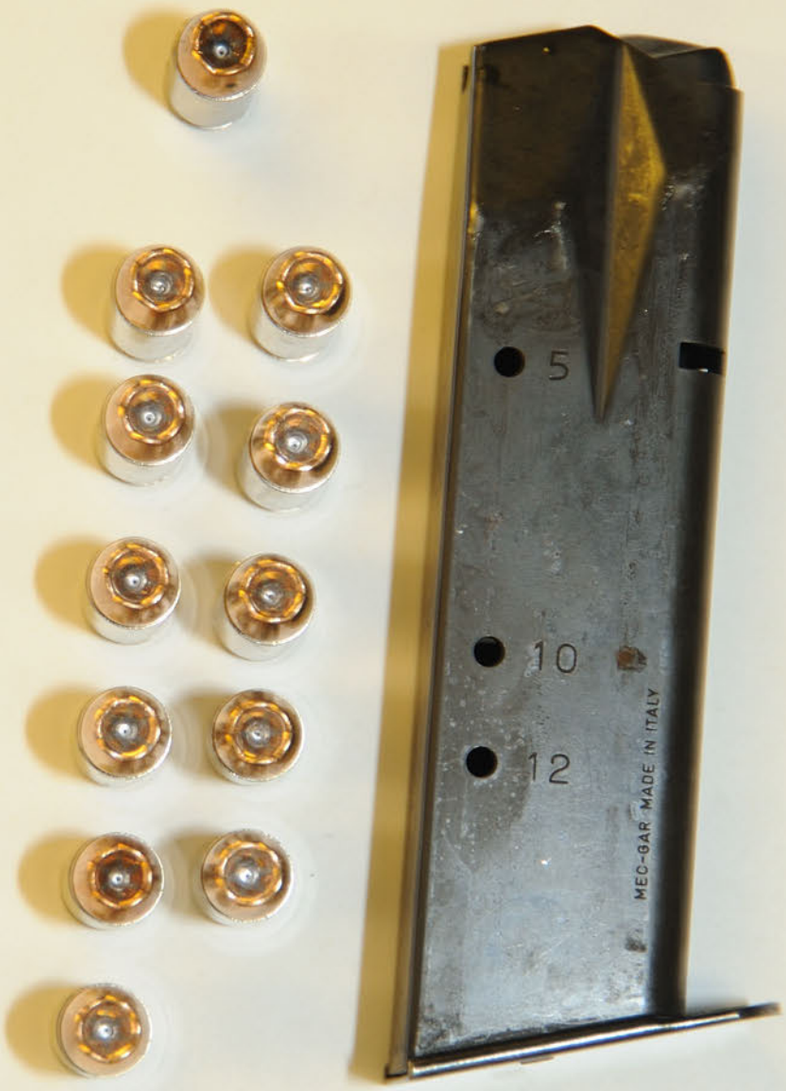

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HOTO: 02/27/15

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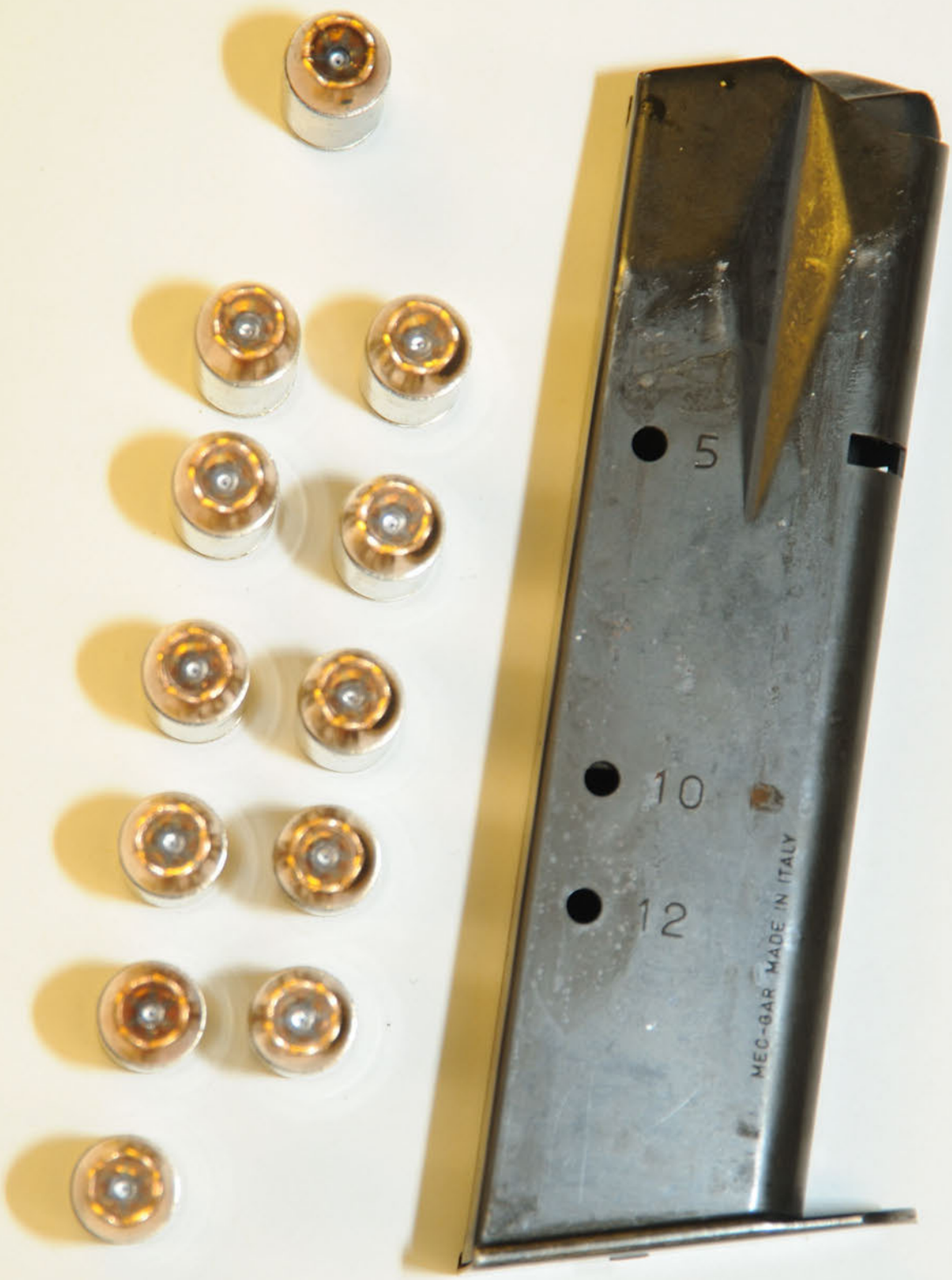

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FIREARM

SFDPA - 0179-14 - 000424

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OIS (02/26/15)
DATE OF PHOTO: 02/27/15

150-178-555
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FIREARM

150-178-555
OIS (02/26/15)
DATE OF PHOTO: 02/27/15

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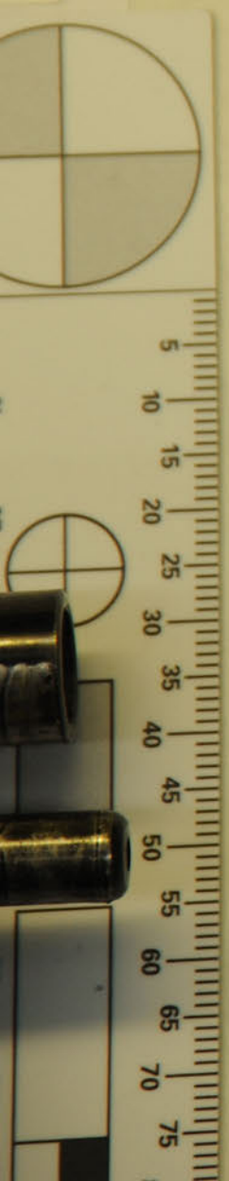

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FIREARM

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FIREARM

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FIREARM

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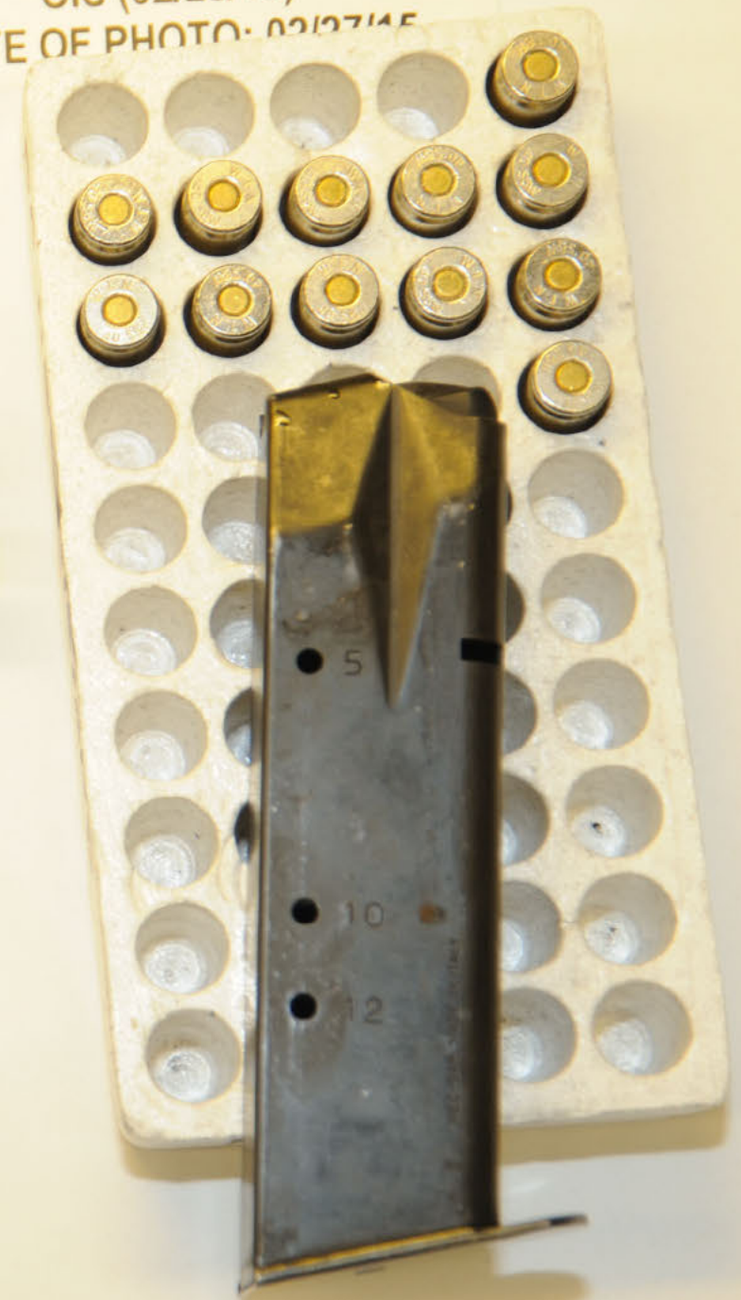

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FIREARM

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150-178-555
OFC TIFFE #1312
FIREARM

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DATE OF PHOTO: 02/27/15

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FIRFARM

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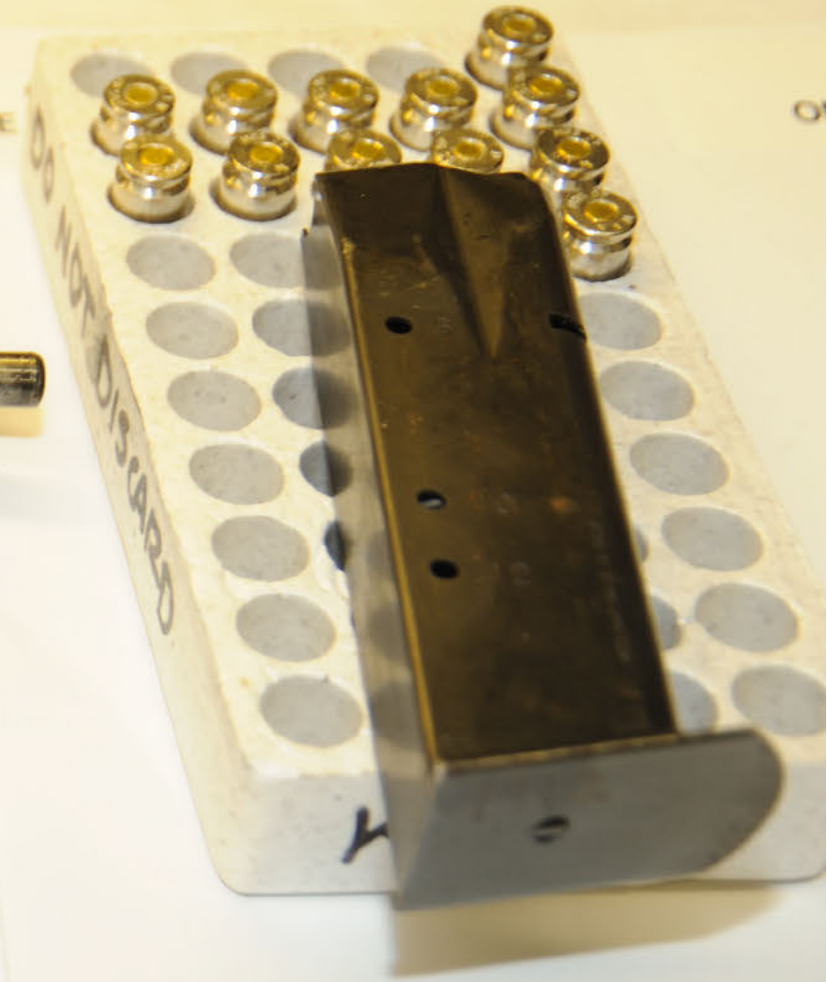

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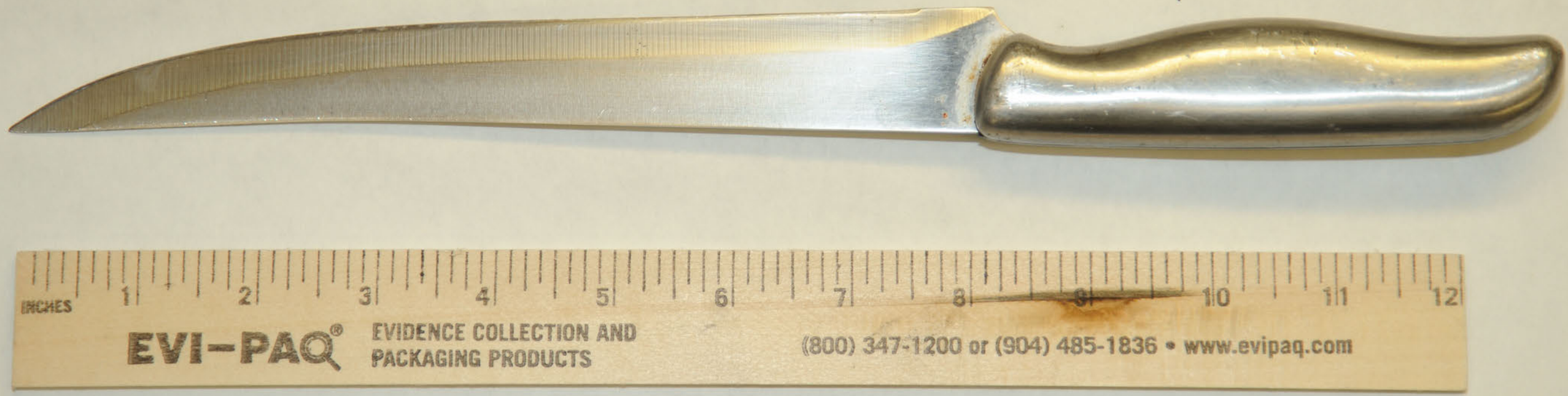

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CASE: 150-178-555
(#8)

CITY AND COUNTY OF SAN FRANCISCO
Office of the Chief Medical Examiner
Medical Division
Case No. **2015-0223**

Name: **PEREZ LOPEZ, AMILCAR**
AKA JOHN DOE #27 Date & Time of Necropsy: **February 27- March 3, 2015 0010 Hours**

Age: **20** Height: **5'3"** Weight: **131 lbs.**

PRELIMINARY EXAMINATION: The body is received in a plastic pouch sealed with bag seal number 21833 and is identified by an appropriately labeled Medical Examiner's tag affixed to the pouch which is moved to the right great toe and identifies the decedent as "John Doe #27" The decedent is identified by fingerprint comparison. When first viewed, the decedent is clad in a green shirt, gray shirt, black fabric belt, denim blue jeans, a pair of black/white shoes, a pair of ankle socks and a blue hooded pullover. A gray cap is in the pouch. The clothing is retained as evidence.

EXTERNAL EXAMINATION: The body is of a well-developed, well-nourished, adult man whose appearance is consistent with the reported age of 20 years.

The face is symmetric. The head is symmetric. The scalp hair is black, straight and measures approximately 10-1/2 inches in length over the crown. The mustache and beard areas are covered by a small amount of hair below the lower lip. The eyelids are intact, and unremarkable. The conjunctivae are clear without petechial hemorrhages, pallor, or icterus. The sclerae are white without petechial hemorrhages or icterus. The irides are brown and the pupils are equally dilated at 5 millimeters. The nose is symmetric, and unremarkable. The nasal septum is intact. The mouth has native dentition in fair repair. The oral mucosa is tan, moist, and unremarkable. The frenula are intact. The external ears are normally formed, symmetric, intact, and unremarkable.

The neck is normally formed, intact, and symmetric. The trachea is palpable in the midline. The chest is symmetric. The abdomen is symmetric, soft, flat, and tympanic to percussion. The external genitalia are those of a normally developed, adult male. The scrotum is intact, and unremarkable. The anus is patent.

The forearms and upper arms are normally formed, symmetric, and intact. The ventral wrists have no scars. The hands, fingers, fingernails, feet, toes, and toenails are normally formed, intact, and unremarkable. The lower extremities are free of edema. The lower extremities are normally formed, symmetric, intact, and unremarkable.

The posterior body surfaces have fixed dependent lividity.

EVIDENCE OF MEDICAL THERAPY: Evidence of medical therapy includes three electrocardiogram pads (one on the left upper chest and the other two on the lower abdomen).

IDENTIFYING MARKS AND SCARS: On the left lateral shoulder are irregular shaped slightly hyperpigmented scars ranging in size from 1/8 inch to 1-1/4 inch. A 5/8 inch linear well-healed scar is on the left elbow. Small well-healed scar are around the left elbow. On

SFDPA - 0179-14 - 000445

the left medial dorsal forearm near the elbow is a ½ inch well-healed linear scar. On the left dorsal hand are three linear well-healed scars ranging in size from 3/16 inch to 9/16 inch. A faint well-healed scar is on the right lateral shoulder measuring 4 inches by 2 inches. An irregular shaped 6-1/2 inch well-healed scar is on the right volar forearm. On the right posterior shoulder is a ½ inch by ¼ inch well-healed scar. A ¾ inch linear well-healed scar is on the right lateral elbow with a ¼ inch well-healed scar on the right dorsal forearm. A ½ inch horizontal well-healed scar is on the right knee.

On the left lateral arm are faint, irregular hyperpigmented marks (one roughly in the shape of a triangle, another roughly in the shape of a heart) which may represent a tattoo.

EVIDENCE OF INJURY: On the body are 3 penetrating and 3 perforating trajectories. These wounds are labeled "A-J" for correlation with diagrams and photographs without inference as to order of occurrence. All measurements are with the body horizontal on the autopsy table and all directions are with the body in anatomic position.

GUNSHOT WOUNDS, HEAD AND NECK:
GUNSHOT WOUND TRAJECTORY #1 (WOUNDS A AND H):
ENTRANCE: On the left posterior scalp 1-1/4 inches inferior and neither anterior nor posterior to the vertex of the head and 2-1/2 inches leftward of the posterior midline is an entrance gunshot wound (wound A), consisting of a 3/8 inch by ¼ inch defect with a circumferential marginal abrasion ring measuring 1/16 inch. No soot, stippling or unburned gunpowder particles are on the skin surrounding the defect.

PATH: The wound path sequentially perforates the scalp, left parietal/occipital skull leaving a ¾ inch by ½ inch defect with internal beveling, left parietal brain, bilateral basal ganglia, right frontal/parietal brain, right frontal/parietal skull leaving a ½ inch by ½ inch defect with external beveling and exits.

The skull has multiple fractures and the brain is disrupted.

EXIT: On the right lateral forehead, 3-1/2 inches inferior and 2-1/8 inch anterior to the vertex of the head and 2 inches rightward of the anterior midline is an exit wound (wound H) consisting of a 15/16 inch by ½ inch stellate laceration.

TRAJECTORY: The wound track travels from the decedent's back to front, left to right and slightly downward

CLOTHING: On the left back of the cap is a 5/16 inch by 5/16 inch frayed defect with "bullet wipe". On the left back of the hood of the hooded sweatshirt is a 3/16 inch by 3/16 inch frayed defect. These defects may represent entrance wound "A". On the right front of the hood of the hooded sweatshirt is a ¾ inch by 5/16 inch frayed defect. These defects may

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represent exit wound "H". No soot or unburned gunpowder particles are on the fabric surrounding the defects.

GUNSHOT WOUNDS, CHEST, ABDOMEN AND BACK:
GUNSHOT WOUND TRAJECTORY #2 (WOUNDS B AND PROJECTILE #5):
ENTRANCE: On the left back, 16-1/2 inches inferior to the vertex of the head and 2-1/2 inches leftward of the posterior midline is an entrance wound (wound B) consisting of a 7/16 inch by ½ inch defect with a circumferential marginal abrasion ring which is widest from the 7 to 3 o'clock positions where it measures 1/8 inch. No soot, stippling or unburned gunpowder particles are on the skin surrounding the defect.

PATH: The wound track sequentially perforates the skin, left posterior eighth intercostal space leaving a 1.0 centimeter by 1.0 centimeter defect, left lateral lower lobe of the lung leaving a 1-1/4 inch by 1 inch defect, left medial lower lobe of the lung leaving a ¾ inch by ¾ inch defect, pericardium, inferior/posterior heart, left anterior fifth intercostal space leaving a 1 inch by 7/8 inch defect, fractures the left fifth rib and lodges in the soft tissue of the left anterior chest.

In the left chest is approximately 425 milliliters of blood and clot.

Recovered in the soft tissue of the left chest, 18 inches inferior to the vertex of the head and 2-1/2 inch leftward of the anterior midline with an overlying 1-1/2 inch by 1-1/2 inch blue-red contusion is a bullet (projectile #5).

There is no exit.

TRAJECTORY: The wound track travels from the decedent's back to front, slightly downward and neither significantly rightward nor leftward.

CLOTHING: On the left back of the green shirt is a 7/16 inch by 3/8 inch frayed defect. On the left back of the gray shirt is a ¼ inch by ¼ inch fray defect. These defects may represent entrance wound "B". No soot or unburned gunpowder particles are on the fabric surrounding the defect.

GUNSHOT WOUND TRAJECTORY #3 (WOUND C AND PROJECTILE #4):
ENTRANCE: On the right upper back, 13-5/8 inches inferior to the vertex of the head and 3-3/4 inches rightward of the posterior midline is an entrance wound (wound C) consisting of a 3/8 inch by 5/16 inch defect with a circumferential marginal ring measuring 1/16 inch. No soot, stippling or unburned gunpowder particles are on the skin surrounding the defect.

PATH: The wound track sequentially perforates the skin, right posterior fourth intercostal space leaving a 1-1/2 inch by 1 inch defect and fractures the right posterior fifth rib, posterior

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right hilum of the lung leaving a 1 inch by 1 inch defect, right anterior hilum of the lung leaving a ½ inch by ½ inch defect, posterior right atrium leaving a ½ inch by ½ inch defect, right anterior ventricle at the septal atrio-ventricular junction leaving a 4 inches by ½ inch defect, left third intercostal space at the sternum leaving a 3/8 inch by ½ inch defect and lodges in the soft tissue of the left chest.

In the right chest is approximately 350 milliliters of blood and clot.

Recovered in the soft tissue of the left chest, 16 inches inferior to the vertex of the head and 2-1/2 inches leftward of the anterior midline with an overlying 2 inch by 2 inch blue-red contusion is a bullet (projectile #4).

TRAJECTORY: The wound track travels from the back to front, right to left and slightly downward.

CLOTHING: On the right back of the hooded sweatshirt is a ¼ inch by ¼ inch frayed defect. On the right back of the gray shirt is a ½ inch by 5/16 inch frayed defect. On the right back of the green shirt is a 5/1 6inch by ¼ inch frayed defect. These defects may represent entrance wound "C". No soot or unburned gunpowder particles are on the skin surrounding the defect.

GUNSHOT WOUND TRAJECTORY #4 (WOUND D, WOUND G AND PROJECTILE #3):
ENTRANCE: On the right back, 18-1/2 inches inferior and 2 inches rightward of the posterior midline is an entrance wound (wound D) consisting of a ½ inch by ½ inch defect with a circumferential marginal abrasion ring which is widest from the 6-11 o'clock position where it measures ¼ inch and a 5/8 inch red linear abrasion at the 1 o'clock position and a 3/16 inch red linear abrasion at the 3 o'clock position. No soot, stippling or unburned gunpowder particles are on the skin surrounding the defect.

PATH: The wound track sequentially perforated the right posterior sixth posterior intercostal space leaving a 1 inch by ½ inch defect and soft tissue of the right back.

PARTIAL EXIT: On the right posterior arm at a point 5 inches inferior to the right shoulder tip in the right posterior axillary line is a partial exit wound (wound G) consisting of a ¼ inch laceration with a partially visible bullet (projectile #3)

Recovered in the soft tissue of the right lateral back/right posterior shoulder, 15-1/8 inch inferior to the vertex of the head and 7-1/2 inches rightward of the posterior midline is a bullet (projectile #3)

TRAJECTORY: The wound track travels from the decedent's left to right, slightly upward and neither frontward nor backward.

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CLOTHING: On the right back of the hooded sweatshirt is a ¾ inch by ½ inch frayed defect. On the back of the green shirt is a 7/8 inch by ¾ inch frayed defect. On the right back of the gray shirt is a ¾ inch by 5/8 inch frayed defect. These defects may represent entrance wound "D". No soot or unburned gunpowder particles are on the skin surrounding the defect.

GUNSHOT WOUND TRAJECTORY #5 (WOUNDS E AND I):
ENTRANCE: On the right back, 19-5/8 inches inferior to the vertex of the head and 1-5/8 inch rightward of the posterior midline is an entrance wound (wound E) consisting of a 5/16 inch by ¼ inch defect with a circumferential marginal abrasion ring. No soot, stippling or unburned gunpowder particles are on the skin surrounding the defect.

PATH: The wound track sequentially perforates the skin, right ninth posterior intercostal space leaving a ¾ inch by ½ inch defect, right posterior diaphragm leaving a leaving a 3/8 inch by 3/8 inch defect, right posterior liver leaving a 2 inch by 1 inch defect, right anterior liver leaving a 4 inch by 3 inch defect, right anterior diaphragm leaving a 1 inch by ½ inch defect, right lower lobe of the lung leaving a 3/8 inch by 3/8 inch defect in a 1 inch by 1 inch red-purple contusion and exits.

EXIT: On the right inferior chest, 19-1/2 inches inferior to the vertex of the head and 4-1/2 inches rightward of the anterior midline is an exit wound (wound I) consisting of a 5/8 inch by 5/8 inch laceration.

TRAJECTORY: the wound track travels from the decedent's back to front, left to right and neither significantly upward nor downward.

CLOTHING: On the right front of the hooded sweatshirt is a 1 inch by ½ inch frayed defect. On the right front of the green shirt is a 2-1/8 inch by 1-1/8 inch frayed defect. On the right front of the gray shirt is a 1-3/4 inch by 1 inch frayed defect. These defects may represent exit wound "I". No soot or unburned gunpowder particles are on the skin surrounding the defect.

GUNSHOT WOUNDS, EXTREMITIES
GUNSHOT WOUND TRAJECTORY #6 (WOUNDS F AND J):
ENTRANCE: On the right dorsal arm, 9 inches inferior to the right shoulder tip is an entrance wound (wound F) consisting of a 7/16 inch by ¼ inch with a circumferential marginal abrasion ring. No soot, stippling or unburned gunpowder particles are on the skin surrounding the defect.

PATH: The wound track perforates the soft tissue.

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EXIT: On the right medial arm, 8-1/2 inches inferior to the right shoulder tip in the mid axillary line is an exit wound (wound J) consisting of a 7/8 inch by ¾ inch laceration.

TRAJECTORY: The wound path travels from the decedent's back to front and neither significantly rightward nor leftward and neither upward nor downward.

CLOTHING: On the back of the right sleeve of the hooded sweatshirt is a 3/8 inch by 5/16 inch defect. On the back of the right sleeve of the green shirt is a 5/16 inch by 3/8 inch frayed defect. These defects may represent entrance wound "F". On the front of the right sleeve of the hooded sweatshirt is a ¾ inch by ½ inch frayed defect. On the front of the right sleeve of the green shirt is a ¼ inch by ¼ inch frayed defect and a 1 inch by 3/8 inch fray defect. These defects may represent exit wound "J". No soot or unburned gunpowder particles are on the skin surrounding the defect.

OTHER PROJECTILES: In the clothing is a bullet fragment (projectile #1) and a bullet (projectile #2). In the soft tissue of the left chest, 17-1/2 inches inferior to the vertex of the head and 2-1/4 inches leftward of the anterior midline is a copper fragment (projectile #6). In the soft tissue of the right posterior back, 14 inches inferior and 2 inches rightward of the anterior midline is a copper fragment (projectile #7), and another fragment (projectile #8) at a point 13 inches inferior of the vertex of the head and 1 inch rightward of the posterior midline. Another copper fragment (projectile #9) is also in the soft tissue of the right posterior back at a point 14 inches inferior and 4 inches rightward of the posterior midline. In the right back, 13 inches inferior to the vertex of the head and 4 inches rightward of the anterior midline is a lead fragment (projectile #10).

OTHER INJURIES: On the forehead are multiple small red abrasions ranging in size from ¼ inch to 3/8 inch. A ¼ inch by 1/8 inch red-yellow abrasion is on the right side of the nose. On the right chest inferior wo wound "I" is a red-yellow abrasion measuring 2-1/4 inch by 5/16 inch. A ¼ inch by ¼ inch red abrasion is on the dorsal left fourth finger.

OTHER CLOTHING DEFECTS: Other frayed defects are on the hood of the hooded sweatshirt. On the right front of the hooded sweatshirt is a ¼ inch by 1/8 inch fray defect. A 3/8 inch by 3/16 inch fray defect and a ½ inch by 3/16 inch frayed defect is on the front of the green shirt. On the front of the gray shirt is a ½ inch by 5/16 inch frayed defect. No soot or unburned gunpowder particles are on the skin surrounding the defect.

INTERNAL EXAMINATION: The subcutaneous fat is approximately 1.3 centimeters in its maximum thickness at the mid-abdomen. The pleural cavities are free adhesions. The visceral and parietal pleurae have a smooth, glistening serosa. The abdominal cavity is without adhesions. The thoracoabdominal organs are in their usual positions and have

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smooth glistening surfaces. The diaphragms are normally elevated. The body cavities have no peculiar or aromatic odor.

NECK: The neck is dissected in a layer-wise fashion after the thoracoabdominal and cranial contents are removed. The superficial and deep muscles of the neck are firm, red-brown, intact, and unremarkable without hemorrhage or laceration. The soft, red-brown tongue is unremarkable without intramuscular hemorrhage, laceration, or infiltrate. The hyoid bone is intact without fracture or periosseous soft tissue hemorrhage. The thyroid and cricoid cartilages are intact without fracture or adjacent soft tissue hemorrhage. The mucosa of the larynx and trachea are unremarkable without intraluminal obstructive lesion, ulceration, laceration, or fistula. There are no prevertebral fascial hemorrhages or underlying cervical vertebral fractures.

CARDIOVASCULAR SYSTEM: The 225 gram heart has a smooth, glistening, epicardium. The cardiac contour is unremarkable. The coronary arteries arise from the aorta in a normal fashion and follow their usual anatomic pathways with no significant atherosclerotic disease. The coronary ostia are patent. The posterior interventricular septum receives its blood supply from the right coronary artery. The coronary arteries are patent and have no atherosclerosis. There is no occlusive thrombus of the epicardial vessels. The right and left ventricular myocardium is red-brown and firm without discoloration, infarct, muscular bulges or focal lesion. The left ventricular free wall is 1.0 centimeters and the septal wall is 1.0 centimeters thick. The right ventricular wall is 0.3 centimeter thick. The valve cusps and leaflets are translucent, pliable, and free of vegetations or fenestrations. The chordae tendineae are thin and delicate. The papillary muscles are intact. The cardiac chambers are normally dilated. The foramen ovale is closed. The endocardium is unremarkable without thickening or fibrosis. The aorta and its major branches have normal pathways and are unremarkable without atherosclerosis or aneurysm. The venae cavae and major veins are all patent, intact, and unremarkable with smooth, yellow-tan intimae. The periaortic lymph nodes in the abdomen and mediastinum are inconspicuous.

RESPIRATORY SYSTEM: The right and left lungs are 200 grams and 190 grams, respectively. Both lungs have smooth pleural surfaces and a dark red-blue, subcrepitant, congested, and moderately edematous parenchyma without palpable induration, visible suppuration, granuloma, consolidation, hemorrhage, neoplasm, or emphysema. The tracheobronchial tree has a pink-tan, unremarkable mucosa and is patent without intraluminal obstructive lesion. The pulmonary vessels are patent and have a yellow-tan, smooth intima without thromboemboli. The pulmonary and hilar lymph nodes are soft, black, and inconspicuous.

HEPATOBILIARY SYSTEM: The 1110 gram liver has a smooth capsule with a sharp anterior margin. The hepatic parenchyma is firm, dark red-brown, and uniform without mass

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lesion. The hepatoduodenal ligament is free of lymphadenopathy. The hepatic artery and portal vein are patent and intact.

The gallbladder is intact and contains approximately 7 milliliters of yellow-orange, viscid bile and no calculi. The gallbladder wall is 0.1 centimeter thick with a yellow, velvety mucosa. The cystic, common, and hepatic bile ducts are normal in course and caliber and free of calculi.

HEMATOPOIETIC SYSTEM: The 80 gram spleen is intact and has a smooth, grey, translucent capsule. The splenic pulp is moderately firm, purple-red, and unremarkable with conspicuous corpuscles. The gastrosplenic ligament is free of lymphadenopathy. The thymus has been replaced by adipose tissue and is unremarkable. The thoracoabdominal and cervical lymph nodes are not enlarged. The visible bone marrow is unremarkable.

ENDOCRINE SYSTEM: The pituitary gland is intact, normally developed, and is unremarkable without laceration, hemorrhage, or mass lesion. The thyroid gland is symmetric and unremarkable with a firm, red-brown, granular parenchyma and no cyst, hemorrhage, fibrosis, or mass lesion. The adrenal glands are normally situated and have soft, yellow cortices and soft, grey-brown medullae. The pancreas has a soft, tan parenchyma with a normal lobular architecture and no saponification, pseudocyst, neoplasm, fibrosis, hemorrhage, or mineralization.

GASTROINTESTINAL SYSTEM: The oropharynx has a tan, smooth, unremarkable mucosa. The esophagus has a smooth, gray-white mucosa. The stomach has a smooth, tan serosa and a smooth, tan mucosa with slightly flattened rugal folds. The gastric wall is not thickened or indurated. The gastric contents consist of approximately 200 milliliters of tan, turbid fluid without identifiable food material. The stomach does not contain identifiable tablets, capsules, or pill fragments. The duodenum has a smooth, bile-stained mucosa without ulcers. The small intestine has a smooth, tan serosa and is not dilated or obstructed. The mesenteric lymph nodes are inconspicuous. The large intestine has normal haustral markings and a vermiform appendix without descending or sigmoid colonic diverticula. The rectum has a smooth, tan mucosa.

GENITOURINARY SYSTEM: The right and left kidneys are 80 grams and 75 grams, respectively. The renal capsules are intact and strip with ease from the underlying cortices. Both kidneys have smooth cortical surfaces without persistent fetal lobulations. The renal parenchyma is firm, dark red-brown, and has a good corticomedullary definition with an average cortical thickness of 7 millimeters on the left and 9 millimeters on the right. The pyramids and papillae are unremarkable. The pelvicalyceal systems are normal without dilatation or obstruction. The ureters are patent and normal in course and caliber to the urinary bladder. The renal arteries and veins are patent without atherosclerosis or stenosis.

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The urinary bladder is intact with a smooth, tan mucosa without erythema, hemorrhage, ulcer, or mass lesion. The urinary bladder contains approximately 270 milliliters of slightly cloudy light yellow urine.

The soft, tan prostate gland is not enlarged and has a soft, tan parenchyma without discoloration, induration, or necrosis. The seminal vesicles are normal. The right and left testes are normally situated in the scrotum and have a soft, tan, homogeneous parenchyma without hemorrhage, cyst, or mass lesion.

MUSCULOSKELETAL SYSTEM: The firm, red-brown muscles are well hydrated and free of focal lesions, except for what is described under Evidence of Injury. The skeleton is well developed and without fracture, deformity, or osteoporosis, except for what is described under Evidence of Injury. The cervical spinal column is stable on internal palpation.

HEAD AND CENTRAL NERVOUS SYSTEM: The reflected scalp is free of trauma, except for what is described under Evidence of Injury. The galeal soft tissues and temporalis muscles are intact, normal, and unremarkable. The calvarium is intact without fracture, except for what is described under Evidence of Injury. The dura mater is intact, except for what is described under Evidence of Injury. The epidural and subdural spaces are free of blood. The dural sinuses are intact and unremarkable. The 1175 gram brain has symmetric cerebral and cerebellar hemispheres covered by thin, transparent leptomeninges without subarachnoid hemorrhage. The cerebral cortex is tan, uniform, and free of contusion foci, except for what is described under Evidence of Injury. The cerebral white matter is uniform throughout except for what is described under Evidence of Injury. The caudate nuclei, basal ganglia, and thalami are tan, uniform, and symmetric except for what is described under Evidence of Injury. The ventricles are normal in caliber and contain congested choroid plexus. The midbrain, cerebellum, pons, and medulla oblongata are free of internal or external abnormalities. The Sylvian aqueduct and fourth ventricle are normal. The locus ceruleus and substantia nigra are normally pigmented. The cranial nerves and mammillary bodies are symmetric and normal. The cerebral vasculature including the Circle of Willis are translucent, patent, and free of atherosclerosis or aneurysm. The anterior, middle, and posterior cranial fossae are free of fractures, except for what is described under Evidence of Injury. The proximal cervical spinal cord is firm, symmetric, and grossly normal.

FINDINGS:

1. GUNSHOT WOUNDS HEAD AND NECK:
    a. GUNSHOT WOUND TRAJECTORY #1 (WOUNDS A AND H):
        i. ENTRANCE ON LEFT POSTERIOR SCALP (WOUND A)
        ii. PATH: LEFT POSTERIOR/LATERAL SKULL, BRAIN AND RIGHT ANTERIOR/LATERAL SKULL
            1. MULTIPLE SKULL FRACTURE AND BRAIN DISRUPTION
        iii. EXIT ON RIGHT LATERAL FOREARM (WOUND H)

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iv. TRAJECTORY: FRONTWARD, RIGHTWARD AND SLIGHTLY DOWNWARD
v. BULLET WIPE ON LEFT POSTERIOR CAP

2. GUNSHOT WOUNDS, CHEST, ABDOMEN AND BACK
   a. GUNSHOT WOUND TRAJECTORY #2 (WOUND B AND PROJECTILE #5)
      i. ENTRANCE ON LEFT BACK (WOUND B)
      ii. PATH: LEFT EIGHTH INTERCOSTAL SPACE, LEFT LOWER LOBE OF LUNG, HEART, LEFT ANTERIOR FIFTH INTERCOSTAL SPACE
         1. LEFT HEMOTHORAX
         2. RECOVERY OF PROJECTILE IN SOFT TISSUE OF LEFT ANTERIOR CHEST (PROJECTILE #5)
      iii. TRAJECTORY: FRONTWARD, SLIGHTLY DOWNWARD
   b. GUNSHOT WOUND TRAJECTORY #3 (WOUND C AND PROJECTILE #4)
      i. ENTRANCE ON RIGHT BACK (WOUND C)
      ii. PATH: POSTERIOR RIGHT FOURTH INTERCOSTAL SPACE, RIGHT HILUM, RIGHT ATRIUM, RIGHT VENTRICLE AT THE SEPTUM, LEFT MEDIAL THIRD INTERCOSTAL SPACE
         1. RIGHT HEMOTHORAX
         2. RECOVERY OF BULLET IN LEFT ANTERIOR MEDIAL CHEST SOFT TISSUE (PROJECTILE #4)
         3. TRAJECTORY: FRONTWARD, RIGHTWARD AND SLIGHTLY DOWNWARD
   c. GUNSHOT WOUND TRAJECTORY #4 (WOUND D, WOUND G AND PROJECTILE #3)
      i. ENTRANCE ON RIGHT MID BACK (WOUND D)
      ii. PATH: SKIN AND SOFT TISSUE
      iii. PARTIAL EXIT ON RIGHT POSTERIOR SHOULDER/INFERIOR AXILLA (WOUND G)
         1. RECOVERY OF BULLET IN RIGHT LATERAL BACK SOFT TISSUE (PROJECTILE #3)
      iv. TRAJECTORY: RIGHTWARD AND SLIGHTLY UPWARD
   d. GUNSHOT WOUND TRAJECTORY #5 (WOUNDS E AND I)
      i. ENTRANCE ON RIGHT BACK (WOUND E)
      ii. PATH: RIGHT POSTERIOR NINTH INTERCOSTAL SPACE, RIGHT LIVER, RIGHT LOWER LOBE OF LUNG
      iii. EXIT ON RIGHT INFERIOR CHEST (WOUND I)
      iv. TRAJECTORY: FRONTWARD, RIGHTWARD
3. GUNSHOT WOUNDS, EXTREMITIES
   a. GUNSHOT WOUND TRAJECTORY #6 (WOUNDS F AND J)
      i. ENTRANCE ON RIGHT DORSAL ARM (WOUND F)
      ii. PATH: SOFT TISSUE
      iii. EXIT ON RIGHT MEDIAL VOLAR ARM (WOUND J)
      iv. TRAJECTORY: FRONTWARD
4. OTHER PROJECTILES
   a. FRAGMENT IN CLOTHING (PROJECTILE #1)

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15 JUN 12 PM 12: 12

Name: **PEREZ LOPEZ, AMILCAR**
AKA JOHN DOE #27 Date & Time of Necropsy: **February 27- March 3, 2015 0010 Hours**

b. BULLET IN CLOTHING (PROJECTILE #2)
c. FRAGMENTS IN RIGHT BACK (PROJECTILES 7-9)
d. FRAGMENT IN RIGHT CHEST (PROJECTILE #10)

5. FRAYED CLOTHING DEFECTS

Spec. to Pathology: Portions of brain, pituitary, thyroid, heart, lungs, liver, gallbladder, spleen, pancreas, adrenal, kidney, urinary bladder, prostate, testis, gastroesophageal junction, appendix, and psoas muscle.

Spec. to Histology: Brain, thyroid, heart, lung, liver, pancreas and kidney.

Spec. to Toxicology: Peripheral (gray top bilateral legs) and central blood (gray top), right and left vitreous humor, liver, gastric contents, bile, urine, brain, and right quadriceps muscle.

Radiographs: Digital films taken by Ellen Moffatt, M.D., Assistant Medical Examiner, San Francisco Medical Examiner's Office, and retained.

Physician(s) Present: G. Pizarro, M.D.

Forensic Tech(s): J. Wedrychowski, O. Jimenez, D. Etheredge and M. Suchovicki.

Photographer: Ellen Moffatt, M.D., Assistant Medical Examiner, San Francisco Medical Examiner's Office.

Evidence: Blood spot, pulled scalp hair, hair from around wound "A", right and left handbags, right and left fingernail clippers, clothing and projectiles #1-10.

06/12/2015
Ellen Moffatt, M.D.
Assistant Medical Examiner

A.P. Hart, M.D.
E.G. Moffatt, M.D.
G. Pizarro, M.D.
egm

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CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CHIEF MEDICAL EXAMINER
MEDICAL DIVISION

Name: **PEREZ LOPEZ, AMILCAR**
AKA JOHN DOE #27

Case No: **2015-0223**

MICROSCOPIC DESCRIPTION

BRAIN: One (1) hematoxylin and eosin stained slide is examined. It includes sections of the frontal cerebral cortex with underlying white matter and cerebellum.

The leptomeningeal and parenchymal blood vessels are unremarkable. The leptomeninges are thin and delicate. The cortical laminations are unremarkable. The neurons in the frontal cerebral cortex are unremarkable. The cerebellum is unremarkable. The parenchyma of the brain has no neoplastic process or inflammatory infiltrate.

THYROID GLAND: The variously sized follicles contain abundant colloid without neoplasia, inflammatory infiltrate, or degenerative changes.

HEART: The epicardial surface is intact without inflammatory infiltrate or hemorrhage. The myocardial fibers are viable and uniform in size and shape with a linear cytologic architecture. There is no intraparenchymal vascular congestion, hemorrhage, contraction band necrosis, or myocardial infarct. Inflammatory infiltrates, fibrofatty intramural infiltration, and significant fibrosis are absent.

LUNGS: The alveoli are well expanded and the alveolar septa are thin and delicate. The pulmonary vasculature is unremarkable. The tracheobronchial tree is unremarkable. The parenchyma has no diagnostic polarizable material.

LIVER: The intact hepatic parenchyma has normally arranged hepatocytes with an unremarkable architecture. The portal tracts are unremarkable. The bile ductules and ducts are unremarkable. The hepatocytes are unremarkable. The sinusoids are unremarkable. The parenchyma has no diagnostic polarizable material.

PANCREAS: The tissue available for examination has a severe loss of nuclear and cytoplasmic detail without associated inflammatory infiltrate (autolysis).

KIDNEY: The intact renal parenchyma has a normal architecture without intraparenchymal solid or cystic mass lesion. There are no interstitial inflammatory infiltrates. The renal vasculature is unremarkable. The glomeruli are unremarkable. The tubules are unremarkable. No diagnostic polarizable material is seen.

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CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CHIEF MEDICAL EXAMINER
MEDICAL DIVISION

SAN FRANCISCO
MEDICAL EXAMINER
15 JUN 12 PM 12: 11

Name: PEREZ LOPEZ, AMILCAR
AKA JOHN DOE #27

Case No: 2015-0223

MICROSCOPIC DIAGNOSES:

1. UNREMARKABLE ORGANS

CAUSE OF DEATH: MULTIPLE GUNSHOT WOUNDS

OTHER CONDITIONS: ETHANOL PRESENT

MANNER: HOMICIDE

06/12/2015

Ellen Moffatt, M.D.
Assistant Medical Examiner

A.P. Hart, M.D.
E.G. Moffatt, M.D.
G. Pizarro, M.D.
egm

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